

1 alleyway, where the little liquor store is?

2 [REDACTED] I'm at the liquor store.

3 INSPECTOR PIERUCCI: Okay. You're walking down
4 toward Broadway.

5 [REDACTED] Back to Little Darlings.

6 INSPECTOR PIERUCCI: Back to the club yeah,
7 but you're walking toward Broadway, right?

8 [REDACTED] Yeah.

9 INSPECTOR PIERUCCI: Okay. So you're walking
10 toward Little Darlings.

11 [REDACTED] Yeah.

12 INSPECTOR PIERUCCI: As you're walking toward
13 Little Darlings, you hear something going on. You
14 hear some people saying something.

15 [REDACTED] I just seen a big-ass crowd in
16 front of me... when I seen the big-ass crowd I was
17 just like, "whatever, they're probably in a fight,
18 whatever, I'm just gonna go walk past." Right when
19 I got up to them, right next to them, that's when I
20 heard one of the people say to the other [REDACTED] "pull
21 it up then, cuz you ain't gonna shoot all of us."
22 And then, uh, that's when [REDACTED] turned around... and
23 like [REDACTED] was facing my way as like... [REDACTED] turns around
24 as I'm walking past [REDACTED] and grabbed the gun.

25 INSPECTOR PIERUCCI: Okay. You saw a crowd.

1 And then the [REDACTED] says "pull it out" then "you're
2 not going to shoot all of us."

3 [REDACTED] Somebody from the...

4 INSPECTOR PIERUCCI: Somebody from the crowd
5 said that?

6 [REDACTED] Yeah.

7 INSPECTOR PIERUCCI: To the [REDACTED] that later
8 pulled out the gun that you're talking about... this
9 same [REDACTED] here?

10 [REDACTED] Pulled it out right after
11 that.

12 INSPECTOR PIERUCCI: Right after that you saw
13 [REDACTED] pull it out?

14 [REDACTED] Yeah.

15 INSPECTOR PIERUCCI: Okay. All right. And then
16 when you saw [REDACTED] pull it out, what did you do?

17 [REDACTED] I fuckin' tried to... I ran
18 like... four steps in front of... right in front of
19 Little Darlings where that garbage can always sits
20 there...

21 INSPECTOR PIERUCCI: Okay.

22 [REDACTED] And right when I got to there
23 is when I heard pow, pow, pow, pow. And [REDACTED] just
24 kept going.

25 INSPECTOR PIERUCCI: How many?

1 [REDACTED] It sounded like at least seven
2 or eight.

3 INSPECTOR PIERUCCI: At least seven or eight
4 shots?

5 [REDACTED] Yeah.

6 INSPECTOR PIERUCCI: All right. Did you... you
7 said earlier that you saw some flame coming out of
8 the gun?

9 [REDACTED] That's what I remember. I just
10 seen like a flash.

11 INSPECTOR PIERUCCI: A flash? Okay you saw
12 one, or were, were you watching the [REDACTED]

13 [REDACTED] Uh, hell nah.

14 INSPECTOR PIERUCCI: All right. So, did you
15 see anybody get hit?

16 [REDACTED] When I got up, I seen the [REDACTED]
17 that was just leaning against the wall. And then I
18 just got up, and just kept going. And that's when I
19 ran inside the club.

20 INSPECTOR PIERUCCI: Earlier you said there
21 was a [REDACTED] next to you.

22 [REDACTED] Yeah.

23 INSPECTOR PIERUCCI: It, it, it was a [REDACTED]
24 standing next to you, in, in this crowd, in this
25 crowd?

1 [REDACTED] When I heard the gunshots and
2 I said I hit the floor...

3 INSPECTOR PIERUCCI: [cough]

4 [REDACTED] ...Right when [REDACTED], [REDACTED] was like,
5 when I got up, [REDACTED] was next to me. It was like blood
6 sitting there, and [REDACTED] was like leaning against the
7 wall. And then I ran inside the club. And I don't
8 know what happened after that.

9 INSPECTOR PIERUCCI: All right. Was there
10 anybody with this [REDACTED] this [REDACTED] that pulled out the
11 gun and started firing?

12 [REDACTED] Yes, another [REDACTED] There's two...

13 INSPECTOR PIERUCCI: Who?

14 [REDACTED] ...Two people.

15 INSPECTOR PIERUCCI: There were two people?

16 [REDACTED] Yeah.

17 INSPECTOR PIERUCCI: Okay. Who was the other
18 [REDACTED] Do you know?

19 [REDACTED] I did not even look at [REDACTED], to
20 tell you the truth. I did not even look at [REDACTED]. I
21 have no idea. I believe [REDACTED] was wearing black
22 though, but I'm not sure.

23 INSPECTOR PIERUCCI: Okay. You believe [REDACTED] was
24 wearing black?

25 [REDACTED] Yeah, I don't know though for

1 sure.

2 INSPECTOR PIERUCCI: All right. You're not
3 sure?

4 [REDACTED] Yeah.

5 INSPECTOR PIERUCCI: Think about it. You're
6 walking down, right, right the liquor store... all of
7 a sudden you see a crowd of people. Somebody in the
8 crowd... you don't know who it was, said that, said,
9 "Go ahead and pull it out. You're not going to
10 shoot us all anyway." Right?

11 [REDACTED] Yeah.

12 INSPECTOR PIERUCCI: Then you saw the [REDACTED] that
13 you just described earlier.

14 [REDACTED] Yeah.

15 INSPECTOR PIERUCCI: Okay. You saw [REDACTED] pulling
16 out this gun?

17 [REDACTED] Right.

18 INSPECTOR PIERUCCI: All right. Then you saw
19 some muzzle fire, you heard about... you said six-to-
20 seven shots?

21 [REDACTED] Yeah.

22 INSPECTOR PIERUCCI: Okay. As soon as [REDACTED]
23 started shooting, you ducked?

24 [REDACTED] Right when I heard the first
25 one.

1 INSPECTOR PIERUCCI: Okay. All right. Now,
2 you, you were telling me that there's, there were
3 two [REDACTED] the [REDACTED] who did the shooting...

4 [REDACTED] And there was somebody with
5 [REDACTED].

6 INSPECTOR PIERUCCI: ...Okay. And that somebody
7 with [REDACTED] you said was another [REDACTED] who was possibly
8 wearing black?

9 [REDACTED] Yeah. I'm not positive.

10 INSPECTOR PIERUCCI: You're not positive
11 though? Okay.

12 INSPECTOR ENGLER: Did we go through a full
13 description of [REDACTED] yet?

14 INSPECTOR PIERUCCI: No, we didn't. We just,
15 this is just... we're trying to...

16 INSPECTOR ENGLER: So, the [REDACTED] wearing black,
17 what was [REDACTED]. why don't we start from head to toe
18 with [REDACTED].

19 INSPECTOR PIERUCCI: [clearing throat]

20 [REDACTED] I really didn't look at [REDACTED]...

21 INSPECTOR ENGLER: Right.

22 [REDACTED] ...To tell you the truth. All I...
23 well, [REDACTED] just said, "well what do you think [REDACTED] was
24 wearing?" I said, "I think [REDACTED] was wearing black."
25 Pretty sure. I'm not sure.

1 INSPECTOR ENGLER: Okay. How could you tell
2 they were together?

3 [REDACTED] Well, when I was walking past
4 them, they looked like they was together. And when
5 [REDACTED] turned around to pull out the gun, the other
6 [REDACTED] was standing right there... right by [REDACTED].

7 INSPECTOR ENGLER: You say, "standing right
8 there," I mean, as close as we are together across
9 from you?

10 [REDACTED] Yeah. They...

11 INSPECTOR ENGLER: Side-by-side?

12 [REDACTED] Like I'm walking... basically
13 say, if I was walking from behind you [REDACTED] on this
14 side...

15 INSPECTOR ENGLER: Right.

16 [REDACTED] ...They were talking to the
17 group of people, like if I was the group of people...
18 them two were talking to 'em, that's when one of
19 the [REDACTED] from this group of people said to that
20 [REDACTED], "you go ahead and pull it out. You're not
21 going to shoot all of us," or whatever, and I'm
22 walking right here. I watch [REDACTED] turn around. The... I
23 think the [REDACTED] on... that's standing on this side
24 turns around.

25 INSPECTOR ENGLER: [REDACTED] being... let's talk

1 [unintelligible].

2 [REDACTED] The [REDACTED] in the red.

3 INSPECTOR ENGLER: The [REDACTED] in the red.

4 [REDACTED] Turns around. I keep walking.

5 I look back, and that's when I hear pow, pow, pow.

6 That's when I duck.

7 INSPECTOR ENGLER: Did you see the people [REDACTED]
8 was shooting at?

9 [REDACTED] was shooting at that whole
10 group of people.

11 INSPECTOR ENGLER: And was that the group
12 where somebody in that group said, "pull it out
13 then, you ain't gonna shoot all of us?"

14 [REDACTED] Yeah.

15 INSPECTOR ENGLER: Is there anything else
16 about the [REDACTED] with [REDACTED] that black that you can
17 recall? Age, height, was [REDACTED] shorter or taller than
18 the [REDACTED] in the red?

19 [REDACTED] I think they're like the same...
20 well, I wasn't really paying attention, tell you
21 the truth.

22 INSPECTOR ENGLER: Okay. Anything else about
23 that second [REDACTED] you can remember?

24 [REDACTED] No... to tell you the... I think...
25 that's about it.

1 INSPECTOR ENGLER: Okay. Well that's fair. I
2 mean, you know, it happens fast. So...

3 [REDACTED] It happened like...

4 INSPECTOR ENGLER: Yeah.

5 [REDACTED] One second literally. I turned
6 around... pow, pow, pow, pow.

7 INSPECTOR ENGLER: So what would be helpful
8 now, would be that group, where somebody said...
9 because obviously it... well, let me ask you... did it
10 appear... you said it was a discussion, but did it
11 appear it was a fight about to happen?

12 [REDACTED] That's what it sounded like.
13 That's what I thought was going to happen. That's
14 why I just kept walking by, like, "oh, if they
15 fight, I ain't gonna get touched. I'm just gonna
16 keep pushing."

17 INSPECTOR ENGLER: Right.

18 [REDACTED] And, so, I heard all the
19 gunshots and that was it.

20 INSPECTOR ENGLER: The person that made the
21 comment about, "well then go ahead and pull it
22 out," can you describe that person?

23 [REDACTED] I don't know who was talking
24 in the group of people.

25 INSPECTOR ENGLER: Could you describe some of

1 the people in the group?

2 [REDACTED] It was a lot of 'em.

3 INSPECTOR ENGLER: Let me ask you this, um,
4 does anyone stand out in your mind, whether [REDACTED]

5 [REDACTED]

6 [REDACTED] There was a [REDACTED],
7 [REDACTED].

8 INSPECTOR ENGLER: There's one [REDACTED] that might
9 have [REDACTED]?

10 [REDACTED] Yeah.

11 INSPECTOR ENGLER: Okay. [REDACTED]

12 [REDACTED]

13 [REDACTED].

14 [REDACTED] Well, I seen the [REDACTED] before
15 standing in front of the club. And [REDACTED] looked like
16 [REDACTED], but uh, [REDACTED] was talking
17 like... with a [REDACTED], so I don't know.

18 INSPECTOR ENGLER: So, that particular [REDACTED]
19 with the [REDACTED] is who you're talking about?

20 [REDACTED] Is what? Is the [REDACTED] that said
21 that?

22 INSPECTOR ENGLER: When you said, "I saw the
23 [REDACTED] before in front of the club."

24 [REDACTED] Yeah. That's the same [REDACTED] I'm
25 talking about.

1 INSPECTOR ENGLER: [REDACTED]
2 [REDACTED], you've seen [REDACTED] before?
3 [REDACTED] I seen [REDACTED] in front of the
4 club, earlier before that happened.
5 INSPECTOR ENGLER: Which club?
6 [REDACTED] Little Darlings.
7 INSPECTOR ENGLER: Okay. Do you remember
8 anything else about [REDACTED], what [REDACTED] was wearing or
9 anything?
10 [REDACTED] I just remember looking at [REDACTED]
11 [REDACTED] [chuckle] [unintelligible] [REDACTED] on
12 the street.
13 INSPECTOR ENGLER: Okay. All right. Did you
14 see the [REDACTED] that got shot?
15 [REDACTED] No, I didn't pay attention.
16 INSPECTOR ENGLER: Did you see anyone who got
17 shot?
18 [REDACTED] The [REDACTED] that was next to me,
19 [REDACTED] got shot.
20 INSPECTOR ENGLER: Okay. What was [REDACTED]... well,
21 what did [REDACTED] look like?
22 [REDACTED] Tell you the truth, I didn't
23 even look.
24 INSPECTOR ENGLER: Okay.
25 [REDACTED] I literally got up... I thought

1 I got shot. And then, I was like, I got up, I ran
2 inside the club, ran into the bathroom, everybody
3 was like, "what happened, what happened, what's
4 going on?" And I went into the bathroom, looked
5 into the mirror because I felt like something hit...
6 like had skinned me or... something, and I was like,
7 "what the fuck?" So I checked but there was no
8 mark.

9 INSPECTOR ENGLER: Okay. You said you'd seen
10 this [REDACTED] before, outside of the club?

11 [REDACTED] Yeah.

12 INSPECTOR ENGLER: Earlier today? Earlier this
13 evening?

14 [REDACTED] Yeah.

15 INSPECTOR ENGLER: Okay. How, how much
16 earlier?

17 [REDACTED] I was out there smoking a
18 cigarette and [REDACTED] was too. So, like maybe a half an
19 hour before.

20 INSPECTOR ENGLER: Okay. You said [REDACTED] looked

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED] Yeah, [REDACTED] had a [REDACTED].

24 INSPECTOR ENGLER: Okay. So, so one [REDACTED]
25 in the group. You had seen [REDACTED] before, [REDACTED] looked

1

[REDACTED] .

2

[REDACTED] Mm-hmm.

3

INSPECTOR ENGLER: Okay. [REDACTED] was smoking about
uh, half an hour before?

5

[REDACTED] Yeah.

6

INSPECTOR ENGLER: All right. Anybody else
that you can see, that you can maybe describe to
us?

9

[REDACTED] I wasn't really too involved
in the group of people, tell you the truth.

11

INSPECTOR ENGLER: You've got two boxes here.

12

[REDACTED] Yeah.

13

INSPECTOR ENGLER: Okay. This is...

14

[REDACTED] The pizza place.

15

INSPECTOR ENGLER: Pizza. Okay. I just put
"Pizza...pizza place." All right. And this is uh,
Little Darlings right? Okay. "Little D." All right,
this group of people, were they in front of the
pizza place?

20

[REDACTED] It happened...

21

INSPECTOR ENGLER: Or in front of Little
Darlings?

23

[REDACTED] It happened in front of the
pizza, in front of the pizza place.

25

INSPECTOR ENGLER: Okay. So this group of

1 people were closer to the street, or closer to the
2 pizza place?

3 [REDACTED] What was that?

4 INSPECTOR ENGLER: This, this group of people,
5 were they closer to the street, or closer to the
6 pizza place?

7 [REDACTED] Closer to the pizza place.

8 INSPECTOR ENGLER: All right. So they were
9 closer to the wall of the pizza...

10 [REDACTED] Yes.

11 INSPECTOR ENGLER: Correct?

12 [REDACTED] Yeah, they were on that side,
13 because I walked by on this side.

14 INSPECTOR ENGLER: You walked on the outside...

15 [REDACTED] Yeah.

16 INSPECTOR ENGLER: ...Of the...

17 [REDACTED] Right by the curb. Not off of
18 the curb though, but right...

19 INSPECTOR ENGLER: Right by the curb. And as
20 you are walking down, you pass the two [REDACTED] where
21 were they standing.

22 [REDACTED] There's a whole group, big 'ol
23 group... and then those two [REDACTED]

24 INSPECTOR ENGLER: Okay. The, the... you just
25 drew uh, a circle between the two establishments.

1 [REDACTED] There was a group of people
2 there.

3 INSPECTOR ENGLER: There's a group of people.
4 And the two [REDACTED] were they standing up against the
5 wall too? Or were they standing up closer to where
6 you're walking... those two [REDACTED]

7 [REDACTED] The, they're standing closer
8 to the wall.

9 INSPECTOR ENGLER: Oh, they're standing closer
10 to the wall, like the group of people were?

11 [REDACTED] Well, everybody was standing
12 like, like that side. I mean, the group of people
13 was mainly kind of taking up like the whole area...

14 INSPECTOR ENGLER: Okay.

15 [REDACTED] ...And then it was just the two
16 [REDACTED].

17 INSPECTOR ENGLER: And the two [REDACTED] were
18 standing up... like let's say this is the
19 establishing right? Okay. The two [REDACTED] were
20 hanging out right here by the establishment? Is
21 that, is that where they were standing? They are
22 standing right here?

23 [REDACTED] Well, I don't think they were
24 standing there. I think they were actually walking,
25 and maybe the group...

1 INSPECTOR ENGLER: The group...

2 [REDACTED] ...And maybe group of people
3 said something to them. That's my assumption, I
4 don't know.

5 INSPECTOR ENGLER: Okay. Uh don't. You know,
6 that's what you're assuming. Did you hear anything?

7 [REDACTED] No.

8 INSPECTOR ENGLER: Did the group of people say
9 anything to those [REDACTED] while they were walking.

10 [REDACTED] Like I said I was walking
11 downhill as they're walking up, so... I didn't,
12 didn't hear the conversation [unintelligible].

13 INSPECTOR ENGLER: Okay. But you did hear
14 somebody from the group?

15 [REDACTED] As I walked right by them,
16 that's when I heard, someone from the group say,
17 "pull it out, and uh, you ain't gonna shoot all of
18 us" or something like that. And I was like, "oh
19 shit." So I looked back like "oh, is [REDACTED] gonna start
20 shooting?" Sure enough, pow, pow, pow, pow.

21 INSPECTOR ENGLER: And [REDACTED] did. Okay. All
22 right. So, you described three people for us,
23 correct? You described the [REDACTED] with the red. You,
24 you described, you described the [REDACTED] that was with
25 you. You said that [REDACTED] was a [REDACTED] that was wearing,

1 possibly wearing black.

2 [REDACTED] Yeah, I'm not sure though.

3 INSPECTOR ENGLER: Okay. Um, did you notice... I
4 forget if you said... if you said what [REDACTED]
5 nationality was?

6 [REDACTED] I didn't even notice.

7 INSPECTOR ENGLER: You didn't notice. Okay.

8 All right. Was [REDACTED] saying anything? Did [REDACTED] speak to
9 the other [REDACTED]

10 [REDACTED] Like I said, I was walking
11 down the hill, so I didn't hear... I wasn't really in
12 their conversation, which [unintelligible] just
13 kept pushing, trying to get back to the club.

14 INSPECTOR ENGLER: All right. That's fine.

15 And, as, as you're, you're down on the floor, and
16 the, and, and, this [REDACTED] is taking [REDACTED] shots, which
17 way is [REDACTED] shooting?

18 [REDACTED] Well, when I got up, when I
19 went inside the club, everybody was talking about
20 it.

21 INSPECTOR ENGLER: Well, what...

22 [REDACTED] And I wasn't personally
23 looking myself. But they say [REDACTED] was aiming at the
24 floor, like [REDACTED] wasn't shooting at people... [REDACTED] was
25 shooting at the floor.

1 INSPECTOR ENGLER: All right. But did you see
2 that?

3 [REDACTED] No.

4 INSPECTOR ENGLER: Okay.

5 [REDACTED] I wasn't looking to see all
6 that.

7 INSPECTOR ENGLER: Which way [REDACTED] was shooting?

8 [REDACTED] Hell nah. I was just like...

9 INSPECTOR ENGLER: But the [REDACTED] next to you...

10 [REDACTED] [unintelligible]

11 INSPECTOR ENGLER: ...Was [REDACTED] on the right or the
12 left of you when [REDACTED] got hit?

13 [REDACTED] was like by my feet, like...
14 basically, you know where that garbage can is?

15 INSPECTOR ENGLER: I can't recall right now.

16 [REDACTED] Well, I don't know if [REDACTED] was
17 the one that bumped into the garbage can, and made
18 the garbage can fall over, but I s, scooted behind
19 the garbage can... like, basically there's like a
20 pole...

21 INSPECTOR PIERUCCI: [unintelligible] the
22 pole.

23 INSPECTOR ENGLER: There's like a little pole
24 here?

25 [REDACTED] There's like a pole in the

1 middle of the sidewalk right there.

2 INSPECTOR ENGLER: Okay.

3 [REDACTED] [unintelligible] where the
4 garbage cans are.

5 INSPECTOR ENGLER: Okay.

6 [REDACTED] So, when that happened, it was
7 more in front of Little Darlings actually.

8 INSPECTOR ENGLER: Okay.

9 [REDACTED] But when I started seeing the
10 shooting, I was like, "oh shit," everybody was
11 running towards the door. So I started trying to
12 run towards the street. And I was like, "oh shit,"
13 and everybody started hittin' the floor, so I was
14 like "fuck it," hit the floor. So, I hit the floor
15 and then, like I said, I got up... it was a [REDACTED]
16 sittin' here still, and I ran inside and closed the
17 door right behind me.

18 INSPECTOR ENGLER: Okay. And you ran inside.

19 [REDACTED] Well, when I ran inside,
20 everybody was laying on the floor like there was
21 shooting in the club, and...

22 INSPECTOR ENGLER: You said, "by your feet."
23 Um, you... okay you walk down, you hear the [REDACTED] say,
24 "okay pull it out, you're not going to shoot all of
25 us."

1 [REDACTED] That's what I heard two...

2 INSPECTOR ENGLER: Is there someone... is that a

3 [REDACTED]?

4 [REDACTED] A [REDACTED]

5 INSPECTOR ENGLER: A voice, a [REDACTED] voice?

6 [REDACTED] It sounded like a [REDACTED]

7 INSPECTOR ENGLER: Okay. So, then, then you

8 turn around, and you look at the [REDACTED] wearing the

9 red...

10 [REDACTED] Yeah.

11 INSPECTOR ENGLER: ...Correct?

12 [REDACTED] I didn't actually see the gun

13 on [REDACTED], to tell you the truth. I just looked and

14 just heard pow. And I seen like a quick little

15 flash, and I just hit the floor.

16 INSPECTOR ENGLER: And then you heard more

17 shots?

18 [REDACTED] Hell yeah. [REDACTED] just kept going,

19 pow, pow, pow, pow.

20 INSPECTOR ENGLER: Okay. So, so the [REDACTED] that

21 got hit, because you said, "the [REDACTED] next to me got

22 hit," was [REDACTED] on your right or on your left?

23 [REDACTED] was on my left. [REDACTED] was

24 towards the wall.

25 INSPECTOR ENGLER: [REDACTED] toward the wall?

1 [REDACTED] Yeah. Right here

2 INSPECTOR ENGLER: So the [REDACTED] that got hit
3 was... the, the shooter was shooting toward...

4 [REDACTED] Down the hill. Towards
5 Broadway.

6 INSPECTOR ENGLER: Towards Broadway. Okay.
7 That's what I'm thinking if the [REDACTED] next to you to
8 you left, because you're walking down and [REDACTED] over
9 to your left... that's the [REDACTED] that goes down. And
10 you go down as well, but you're, you're trying not...

11 [REDACTED] I don't know if [REDACTED] knocked
12 over the garbage cans, but the garbage can fell
13 right when I tried to hide behind it...

14 INSPECTOR ENGLER: Okay.

15 [REDACTED] ...And, that's when I like
16 slipped over, and I seen that cop car, undercover
17 cop car pull up, errr, passenger door pop... uh, flew
18 open, and I seen him just take off runnin' with his
19 gun in his hand. And then...

20 INSPECTOR ENGLER: Okay. All right. That's
21 what I want to... focus in on that okay? Focus in on
22 that because you're doing really well. Because you
23 know... a lot of times things go by and you're like,
24 "ok, what happened, what happened?" Just stay calm,
25 be cool, because you're doing a good job.

1 [REDACTED] Good.

2 INSPECTOR ENGLER: You really are. You're
3 giving me an idea of what's going on, okay?

4 [REDACTED] Mm-hmm.

5 INSPECTOR ENGLER: All right. So, you, you go
6 down to the ground. You hear one shot, you see the
7 actual f, fire from the muzzle right?

8 [REDACTED] From the barrel.

9 INSPECTOR ENGLER: From the barrel. You, you,
10 you go down. Okay? The [REDACTED] on your left is hit. Did
11 you see [REDACTED] fall?

12 [REDACTED] No.

13 INSPECTOR ENGLER: No. Okay.

14 [REDACTED] I didn't even know [REDACTED] was hit
15 until after I got up. And I got into the door and
16 they're like, "that [REDACTED] got shot outside." And I
17 was like, what the fuck?"

18 INSPECTOR ENGLER: All right. So, you, you,
19 you heard seven shots... or six or seven shots, but
20 you heard them... were they all...

21 [REDACTED] I heard one, two, three, four...

22 INSPECTOR ENGLER: Yeah, just kept on
23 shooting.

24 [REDACTED] Yeah, [REDACTED] just... it was a semi-
25 automatic, so [REDACTED] just kept going.

1 INSPECTOR ENGLER: Okay. All right. So [REDACTED] kept
2 on pulling the trigger. But you, you actually heard
3 it like that, boom, boom, boom?

4 [REDACTED] Yeah. Pow, pow, pow, pow.

5 INSPECTOR ENGLER: All right. After the first
6 shot, you went down.

7 [REDACTED] Yeah.

8 INSPECTOR ENGLER: Okay? Then you heard more
9 shots?

10 [REDACTED] Yeah.

11 INSPECTOR ENGLER: Okay. When is it that you
12 notice that there's an undercover car?

13 [REDACTED] Right when I hit the floor and
14 I bent my head up... I think I bent my head up like
15 this. Because I was facing sideways on the street,
16 like... kind of like halfway on the curb, like my
17 feet were on the curb, but my body was on the
18 street, and that's where the cop car pulled up,
19 right there, right in front of me. Opened his door,
20 and jumped out and [unintelligible]. I think he
21 even fired a shot towards... to, I don't know.

22 INSPECTOR ENGLER: All right. So now, how did
23 you know that they in an undercover car?

24 [REDACTED] How did I know?

25 INSPECTOR ENGLER: Yeah.

1 [REDACTED] Because I looked up. And I
2 seen a car pull up and I'm like, I can fuckin' just
3 lay there and get ran the fuck over, so...

4 INSPECTOR ENGLER: Right.

5 [REDACTED] So... I fuckin' looked up and
6 the police stopped right there, and opened up his
7 door. And I was like... right after I seen him jump
8 out, that's when I got up. I was like, "oh, it's
9 safe now," and went inside the club.

10 INSPECTOR ENGLER: All right. So, saw these
11 [REDACTED] you saw one of them jump out?

12 [REDACTED] Yeah.

13 INSPECTOR ENGLER: Okay. Do you remember
14 hearing anything?

15 [REDACTED] "Freeze!" Or he said
16 something. I don't know what the cop said exactly.
17 He said something, and then...

18 INSPECTOR ENGLER: He said something. Can you
19 remember what he said out loud. I mean, did what he
20 said make you...

21 [REDACTED] Kinda. I just had everything
22 blurred out kinda. I was just like, "oh well, I
23 hope I don't get hit." That was my whole thing, I
24 don't know.

25 INSPECTOR ENGLER: All right. Can you maybe

1 just try to recall okay... you see the first shot,
2 you go down on the ground and try to hide your
3 head...

4 [REDACTED] Yeah.

5 INSPECTOR ENGLER: ...And all of a sudden a car
6 comes over. The door opens... do you see it, do you
7 see it open?

8 [REDACTED] And I just... I looked up and I
9 seen... I could just tell it was a police officer
10 from the bottom of his waist. It's safe, and I seen
11 him run past me...

12 INSPECTOR ENGLER: Right.

13 [REDACTED] Or I turned around and I
14 looked, and I just got up.

15 INSPECTOR ENGLER: All right. How did you know
16 it was a police officer?

17 [REDACTED] Because he said something, but
18 I don't know what he said.

19 INSPECTOR ENGLER: Did he say something about
20 him, you know, did he say anything about police?

21 [REDACTED] Maybe. I don't remember. I
22 just remember looking up and there was a cop right
23 there jumping out of an unmarked car. And then... I
24 think he did say, "police."

25 INSPECTOR ENGLER: Okay.

1 [REDACTED] I think he said, "Freeze,
2 police!"

3 INSPECTOR ENGLER: Okay.

4 [REDACTED] I'm not sure.

5 INSPECTOR ENGLER: Okay. All right. All right,
6 so what else did you see? Now you're on the floor,
7 the police officer gets out of this unmarked
8 vehicle okay? And, can, can, can you describe the
9 officer to me? Did you see him at all?

10 [REDACTED] I didn't really... I mean I
11 looked up, I glanced up, but I didn't trip off
12 thinking about remember how he looked and...

13 INSPECTOR ENGLER: Okay. No, I just wanted to
14 see if you actually saw...

15 [REDACTED] No, I didn't really... I mean I
16 did look up to... I see there's a police officer, but
17 I didn't see if he was [REDACTED], was [REDACTED] or
18 whatever.

19 INSPECTOR ENGLER: Right. So you kind of, you
20 felt... or, or you may have heard him say, "freeze,
21 police," that's how you knew it was a police
22 officer? I, I, I don't know, was it...

23 [REDACTED] Well...

24 INSPECTOR ENGLER: Huh?

25 [REDACTED] I mean, basically, either

1 that, or I looked up to make sure I wasn't going to
2 get ran the fuck over, and [unintelligible], I
3 don't know. That's my assumption.

4 INSPECTOR ENGLER: All right. All right.
5 Either way right? You were safe.

6 [REDACTED] I felt...

7 INSPECTOR ENGLER: You felt safe at that time?
8 [REDACTED] Yeah.

9 INSPECTOR ENGLER: Okay. What did you see now?
10 Now, just sit back, and relax and think about it.
11 Just think about it.

12 [REDACTED] When I got up off the floor, I
13 looked back up to make sure I wasn't going to shot
14 when I stood up.

15 INSPECTOR ENGLER: Mm-hmm.

16 [REDACTED] I don't remember what I seen.

17 INSPECTOR ENGLER: Okay. Did you see...

18 [REDACTED] I think I was [unintelligible]
19 worried about getting the fuck in there... inside
20 somewhere... and safe.

21 INSPECTOR ENGLER: All right. How about the
22 police officer and this [REDACTED] Was the police officer
23 right on the [REDACTED] in the red with the gun? Do you
24 remember?

25 [REDACTED] I didn't even look.

1 INSPECTOR ENGLER: Did you get a look?

2 [REDACTED] I just kept pushing to get
3 inside of there.

4 INSPECTOR ENGLER: All right. You said, that
5 you may have heard, "freeze, police," but you... at,
6 at first you said you heard, "freeze," or something
7 like that.

8 [REDACTED] I heard something, I don't
9 know what.

10 INSPECTOR ENGLER: You heard something. Okay.
11 Did you see the officer run out?

12 [REDACTED] He got out of his car, took
13 off running.

14 INSPECTOR ENGLER: Took off running...

15 [REDACTED] On foot.

16 INSPECTOR ENGLER: On foot. Up?

17 [REDACTED] He pulled over, it was right
18 in front of Little Darlings, on the street...
19 suicide. Oh no it's not... it's not considered.. it's
20 not suicide, but... pulled up and right there, like
21 at a angle. I seen the door pop open, and he just
22 got out and started running. And then...

23 INSPECTOR ENGLER: So the passenger officer or
24 the driver officer.

25 [REDACTED] Passenger.

1 INSPECTOR ENGLER: Passenger. Okay. All right.
2 And then you saw him run... run off. It... was there
3 any other person that you saw? Any other person
4 that you saw with this officer?

5 [REDACTED] I didn't even trip off it.

6 INSPECTOR ENGLER: Okay. All right. Um, let's
7 go through it again, all right? Just slowly. Start
8 with, you're at the, uh, uh, liquor store.

9 [REDACTED] You want [unintelligible] me
10 to explain the whole story again?

11 INSPECTOR ENGLER: Yeah. Now that you've got a
12 little bit more, because you remember a little bit
13 more, and you've got things goin'...

14 [REDACTED] Basically, I went up the
15 liquor store to get a [Swisher], and walk back down
16 the hill, get to right in front of the pizza place,
17 in between there and Little Darlings...

18 INSPECTOR ENGLER: Mm-hmm.

19 [REDACTED] ...Here the [REDACTED], two people, or
20 whatever, talking, and then that's when the [REDACTED]
21 said, "pull it out," or whatever, and I kept
22 walking on the hill. I looked back and [REDACTED] fired it
23 off. And then I hit the floor. A cop car pulled up,
24 [unintelligible] jumped out, he ran in... I mean ran
25 towards where the [REDACTED] was shootin' from. I got up

1 and went inside Little Darlings and closed the
2 door. That's about it.

3 INSPECTOR ENGLER: And that's your brief.

4 [phone ringing]

5 [REDACTED] It's like, I'm going on like
6 26 hours...

7 INSPECTOR ENGLER: All right, is there
8 anything that you would like to tell me, that I
9 didn't ask you?

10 [REDACTED] No.

11 INSPECTOR ENGLER: You said something about
12 somebody firing another round. Did you see anybody
13 else fire another round?

14 [REDACTED] It sounded like a cop shot.

15 INSPECTOR ENGLER: How, how does it sound like
16 a cop shot?

17 [REDACTED] I mean, because right when he
18 jumped out the car, I only heard one, like right
19 after that. And then, that was it. That's when I
20 got up, and was like, "it's cool."

21 INSPECTOR ENGLER: You only heard one round?

22 [REDACTED] What do you mean?

23 INSPECTOR ENGLER: You, you, you only heard
24 one shot fired?

25 [REDACTED] Throughout the whole thing?

1 INSPECTOR ENGLER: No, no. When you got up...

2 [REDACTED] Yeah.

3 INSPECTOR ENGLER: ...When the police officer
4 started running after...

5 [REDACTED] [unintelligible] [overlapping
6 speech] When he jumped out of his car...

7 INSPECTOR ENGLER: Mm-hmm.

8 [REDACTED] Either it was [REDACTED] last
9 shot, and [REDACTED] like waited a second and then pulled
10 it, or the cop got out and shot at [REDACTED], towards
11 where [REDACTED] was shooting from.

12 INSPECTOR ENGLER: Did you ever see the police
13 officer with the weapon out?

14 [REDACTED] Yeah, I think he did have the
15 gun in his hand.

16 INSPECTOR ENGLER: You think he did?

17 [REDACTED] Yeah. But, like I said, I was
18 looking at the floor, but I was... like this, and I
19 just looked up... [unintelligible]

20 INSPECTOR ENGLER: Okay. Did you ever see a
21 flash coming out of the police officer's... anywhere
22 around the police officer?

23 [REDACTED] [unintelligible] [overlapping
24 speech] I was more worried about not getting shot.

25 INSPECTOR ENGLER: Okay. Okay. All right.

1 Here's... when... you were taken to a certain location
2 with a police officer? You were taken to a certain
3 location to view a couple people?

4 [REDACTED] Yeah.

5 INSPECTOR ENGLER: Yeah?

6 [REDACTED] They did not look like the
7 people to me.

8 INSPECTOR ENGLER: Okay. The, the people that
9 you saw?

10 [REDACTED] All I seen was a red sweater,
11 and a black... I think it was either black or it
12 could have been like dark navy blue, I don't know...
13 a dark color sweater besides the red one. And those
14 weren't the people that were stopped up there.

15 INSPECTOR ENGLER: All right. Here's my uh,
16 because my partner was here, and he, he may want to
17 ask you a couple questions about the police officer
18 responding, as soon as you dropped. Okay? You
19 dropped... you heard the first shot, you dropped, and
20 then you hear more shots. And they're all in rapid
21 succession, the boom, boom, boom, boom, boom... how
22 many?

23 [REDACTED] It was either like six or
24 seven. It could have been even eight. I don't know.

25 INSPECTOR ENGLER: That's initially?

1 [REDACTED] Well, I counted like the first
2 three or four, like actually, one, two, three,
3 four, and I was like "oh shit," and really like
4 started tripping like mentally, like "oh shit, I'm
5 about to get shot." And then...

6 INSPECTOR ENGLER: And then did you hear more
7 shots later?

8 [REDACTED] It sounded like when the
9 officer got out the car, it sounded like either he
10 shot at them, or perhaps... I don't know.

11 INSPECTOR ENGLER: Did you see that shooting
12 happen?

13 [REDACTED] With the cop?

14 INSPECTOR ENGLER: Mm-hmm. Or did you just
15 hear it?

16 [REDACTED] I just heard it. I was looking
17 at the ground mainly. It was after he already had
18 passed me.

19 INSPECTOR PIERUCCI: No, I don't have any
20 other questions.

21 INSPECTOR ENGLER: Okay.

22 [REDACTED] All right.

23 INSPECTOR ENGLER: All right. And so we have
24 all your contact information?

25 [REDACTED] Thank you.

1 INSPECTOR ENGLER: Your cell phone?

2 [REDACTED] Yeah.

3 INSPECTOR ENGLER: ...And uh, all right. The
4 time is now uh, 5:13 in the AM. Who did you give
5 your cell phone to? Who did you give your cell
6 phone to... the, the other police officers?

7 [REDACTED] Uh, my phone number?

8 INSPECTOR ENGLER: Yeah.

9 [REDACTED] Yeah.

10 INSPECTOR ENGLER: You did?

11 [REDACTED] I gave it to two of them.

12 INSPECTOR ENGLER: Why don't you give me one
13 too.

14 [REDACTED]

15 INSPECTOR ENGLER: [REDACTED]

16 [REDACTED]

17 INSPECTOR ENGLER: [REDACTED]

18 [REDACTED]

19 INSPECTOR ENGLER: [REDACTED]

20 [REDACTED] Yes.

21 INSPECTOR ENGLER: All right. And that's how
22 we can get a hold of you? And your address and
23 everything else, do you have any ID on you, I could
24 just make a copy outside for me. All right? We're
25 going to go ahead and stop this anyway. All right.

1 [REDACTED] Didn't you write it down?

2 INSPECTOR ENGLER: Uh, no. The time is now
3 5:14 in the morning.

4 END OF DOCUMENT

1 INSPECTOR ENGLER: [1]00 609 942. Today's
2 date is July 3rd 2010. The time is 7:08 in the AM.
3 This is Inspector Joseph Engler Star 239 of the
4 Homicide Detail with my partner.

5 INSPECTOR PIERUCCI: Pierucci 1604.

6 DA INVESTIGATOR JIM POSADA: And ah Jim
7 Posada investigator District Attorney's office Star
8 number 7044.

9 INSPECTOR ENGLER: Okay and...and m [REDACTED] what is
10 your name?

11 [REDACTED] [REDACTED]

12 INSPECTOR ENGLER: [REDACTED]

13 what's your birthday?

14 [REDACTED] [REDACTED]

15 INSPECTOR ENGLER: Okay and [REDACTED] what is
16 your cell phone number?

17 [REDACTED] [REDACTED]

18 INSPECTOR ENGLER: Okay and...and...and where's
19 home for you in that [REDACTED] area code?

20 [REDACTED] [REDACTED]

21 INSPECTOR ENGLER: [REDACTED]

22 Okay what...what's the address there?

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 INSPECTOR ENGLER: Okay and on today's date

1 earlier in the morning July 3rd 2010 some time after
2 1:00 in the morning were you in the areas of
3 Columbus and Broadway in San Francisco?

4 [REDACTED] Yes.

5 INSPECTOR ENGLER: Okay and being in that
6 area were you present at...at some point when the
7 police arrived?

8 [REDACTED] Yes.

9 INSPECTOR ENGLER: Okay and were you present
10 and a witness to...to...to whatever that is that
11 occurred prior to the police arriving?

12 [REDACTED] Yes.

13 INSPECTOR ENGLER: All right so what did you
14 see and where were you at?

15 [REDACTED] We were walking up Columbus um
16 heading home and we decided to stop at a pizza
17 place for a slice. I don't know the name of it.

18 INSPECTOR ENGLER: When you say we who were
19 you with?

20 [REDACTED] I was with [REDACTED] my...and my
21 friend [REDACTED] and [REDACTED] went up to the liquor store
22 above to get some Rolaids and [REDACTED] and I went into
23 the pizza joint and we ordered pizza and paid and
24 then we went to leave when [REDACTED] came in and said
let's stay here. So we walked towards the back of

1 the restaurant and to a table facing the front. We
2 were all going to sit side by side and that's when
3 I heard two shots and then I looked out the window
4 and I saw a [REDACTED] pointing a gun. I saw [REDACTED] shoot
5 three more times and then I got on the ground and
6 then I heard two or three more shots after that.

7 INSPECTOR ENGLER: When [REDACTED] came inside
8 and said let's stay here did [REDACTED] tell you why [REDACTED]
9 wanted to stay there?

10 [REDACTED] No [REDACTED] just was saying in general oh
11 let's sit down and enjoy. It wasn't like let's
12 stay here or it was ah let's just stay here and eat
13 your pizza instead of walking with it.

14 INSPECTOR ENGLER: Okay so you didn't get the
15 impression that [REDACTED] saw maybe a fight about to
16 start.

17 [REDACTED] No.

18 INSPECTOR ENGLER: [REDACTED] just thought this is a
19 good spot.

20 [REDACTED] Right and when we walked in, we
21 walked by the taqueria and I saw a group of people
22 there and I noticed them but I didn't notice any
23 fight.

24 INSPECTOR ENGLER: Okay of these people you
25 noticed earlier is there something that stands out

1 about this group? Were they boisterous were they
2 loud were they...were they...was it...what is it about
3 this group that...that made you just remark about
4 them?

5 [REDACTED] Um I noticed that they were all
6 wearing the same kind of clothes. They were all
7 wearing black with...and red and so I just noticed
8 that because they were...they all looked very
9 coordinated.

10 INSPECTOR ENGLER: Okay and so from where you
11 sat inside the pizza place did you have a clear
12 view of the street outside of the pizza place?

13 [REDACTED] Um yeah I ur there...there's the front
14 door was open and the window and so the shooter was
15 literally standing in the center of the open
16 doorway and that's what I saw [REDACTED]...where I saw [REDACTED].
17 I didn't see who [REDACTED] was shooting at all I just saw
18 [REDACTED] shooting [yeah].

19 INSPECTOR ENGLER: And you...you just extended
20 your hand and then ah used your thumb and your
21 fingers to look like...to simulate a gun is that
22 right?

23 [REDACTED] Yeah.

24 INSPECTOR ENGLER: Did you see the gun in [REDACTED]
25 hand?

1 [REDACTED] Yes.

2 INSPECTOR ENGLER: What did it look like?

3 [REDACTED] It looked...it was black and I believe
4 it was a semi-automatic. It didn't have a barrel.
5 If was...I mean it's just like a typical black gun
6 that you see on TV.

7 INSPECTOR ENGLER: Okay like a typical gun
8 you see on TV.

9 [REDACTED] Ha.

10 INSPECTOR ENGLER: Okay.

11 [REDACTED] But not I mean like a modern...like
12 the kind that slings back.

13 INSPECTOR ENGLER: Cause the side you pull
14 back and.

15 [REDACTED] Yeah.

16 INSPECTOR ENGLER: Okay so...so you said you
17 heard a couple of shots first.

18 [REDACTED] Ah ha.

19 INSPECTOR ENGLER: Did you see where the [REDACTED]
20 was when you heard those first couple of shots?

21 [REDACTED] No I just looked right up and [REDACTED] was
22 just standing there.

23 INSPECTOR ENGLER: When you say standing
24 there [REDACTED] was right in the...was [REDACTED] in the...was [REDACTED]
25 inside the restaurant or just outside.

1 [REDACTED] No [REDACTED] was standing outside the
2 restaurant but in the...in the entryway...I mean in the
3 doorway but not in the doorway but through...I could
4 see [REDACTED] through the doorway but [REDACTED] was standing on
5 the sidewalk.

6 INSPECTOR PIERUCCI: [REDACTED] was framed by the
7 doorway.

8 [REDACTED] [REDACTED] was framed by the doorway.

9 INSPECTOR PIERUCCI: Standing outside on the
10 sidewalk is that correct?

11 [REDACTED] Yeah.

12 INSPECTOR PIERUCCI: Okay.

13 INSPECTOR ENGLER: So when you see these
14 shots do you see [REDACTED] move away from the doorway at
15 any point?

16 [REDACTED] No [REDACTED] was standing in one place the
17 whole the time I watched [REDACTED] but once I got down on
18 the ground I...I didn't see [REDACTED] leave.

19 INSPECTOR ENGLER: Did you notice when you
20 could see the gun in [REDACTED] hand was [REDACTED] hum...do you
21 understand the difference between like pointing and
22 just shooting straight at a static object or
23 actually tracking some kind of object where the arm
24 would move? Can you...can you say whether or not you
25 saw whether [REDACTED] arm ever moved or it stayed in one

1 place.

2 [REDACTED] I don't think it moved. I felt like
3 [REDACTED] was pointing in a downward direction and just
4 like this like boom boom boom boom boom.

5 INSPECTOR ENGLER: Okay so you're
6 showing...your arm is actually slight...slightly
7 [canted] down.

8 [REDACTED] Yeah I mean I know they were on a
9 hill so I don't know but it...it I mean can I show
10 you?

11 INSPECTOR ENGLER: Yeah please.

12 [REDACTED] Okay I would say it was definitely
13 like...like this.

14 INSPECTOR ENGLER: Ah ha.

15 [REDACTED] Maybe a tiny lower but.

16 INSPECTOR ENGLER: Was [REDACTED] on an upper ground?
17 Was...was [REDACTED] on a hill higher then the people perhaps
18 down the hill from [REDACTED]?

19 [REDACTED] I...yes...yeah.

20 INSPECTOR ENGLER: That's accurate.

21 [REDACTED] Yeah because it is on a hill and
22 when we left I looked and I saw that there was
23 slant.

24 INSPECTOR ENGLER: There's a slope going down
25 the hill.

1 [REDACTED] Yeah a slope.

2 INSPECTOR ENGLER: Okay um did you see who [REDACTED]
3 was shooting at?

4 [REDACTED] No.

5 INSPECTOR ENGLER: Okay did [REDACTED] say anything
6 or yell anything out while [REDACTED] was shooting?

7 [REDACTED] Not that I heard.

8 INSPECTOR ENGLER: Okay you went down to the
9 ground. At some point did you become aware that
10 the police were there?

11 [REDACTED] Ah I believe it was when the police
12 were there that I felt safe enough to get up
13 because everyone started to rush towards the front
14 and so I got up and I was very very scared.

15 INSPECTOR ENGLER: Right.

16 [REDACTED] I was just kind of shocked and
17 sitting there and I was really surprised that
18 people were rushing up to the front and my friend
19 kept yelling close the door close the door lock the
20 fucking door and.

21 INSPECTOR ENGLER: Is that your friend [REDACTED].

22 [REDACTED] [REDACTED]

23 INSPECTOR ENGLER: [REDACTED]

24 [REDACTED] And I just you know the person who
25 worked there was just standing behind the corner.

1 Everyone just looked really calm and normal it was
2 kind of weird.

3 INSPECTOR ENGLER: That is kind of weird.

4 [REDACTED] Yeah.

5 INSPECTOR ENGLER: I agree with you.

6 [REDACTED] Yeah.

7 INSPECTOR ENGLER: Um so you and [REDACTED] and
8 [REDACTED] though you stayed in the back.

9 [REDACTED] Yeah.

10 INSPECTOR ENGLER: Okay and did you ever see
11 any plain like do you know the difference between a
12 uniformed police officer and like a plain clothes
13 police officer.

14 [REDACTED] Ah ha.

15 INSPECTOR ENGLER: Okay did you ever see a
16 plain clothes police officer outside ah shortly
17 after hearing the shots?

18 [REDACTED] No I saw one after the incident
19 af...after I had been interviewed for the first time
20 I saw that.

21 INSPECTOR ENGLER: Okay so did you pretty
22 much...describe to me what did you do. Did you stay
23 at that back table and wait or.

24 [REDACTED] Yeah we stayed there um [REDACTED] kept
25 going up [REDACTED] wanted to look out the window it...this

1 is long after the police had come and you know I
2 kept saying please come back please come back I was
3 nervous and finally when people had started going
4 out we decided to leave and we were just going to
5 leave but [REDACTED] talked to one of the police and we
6 decided we needed to talk to them and about what we
7 saw.

8 INSPECTOR ENGLER: We really appreciate you
9 staying. Did you...did you have...did you go with a
10 police officer a little bit later in time in the
11 back of a black and white police car and go to a
12 location where um a [REDACTED] had been detained and...and
13 you'd been asked to say is that the [REDACTED] you saw.

14 [REDACTED] Yes.

15 INSPECTOR ENGLER: And did they read you an
16 admonition where they talked to you about not...not
17 being biased and keeping an open mind.

18 [REDACTED] Yeah.

19 INSPECTOR ENGLER: And understanding that
20 that may or may not be the person.

21 [REDACTED] Yes and I signed it.

22 INSPECTOR ENGLER: Okay and that was before
23 you took a look.

24 [REDACTED] Yeah.

25 INSPECTOR ENGLER: Okay good um so...so when

1 you went to this location and...and ah and viewed the
2 [REDACTED]...there I think there were two you viewed them
3 one at a time is that correct?

4 [REDACTED] Yes.

5 INSPECTOR ENGLER: Okay when you...when you
6 viewed either one of those [REDACTED] were either one of
7 those [REDACTED] the person you saw in the doorway with
8 the gun?

9 [REDACTED] I really don't believe so. One of
10 em I know for certain it wasn't and the other.

11 INSPECTOR ENGLER: Which...which...which let's do
12 the one you know for sure wasn't. Which one is
13 that?

14 [REDACTED] [REDACTED] was tall and skinny and [REDACTED] was
15 wearing some sort of white jersey or something and
16 [REDACTED] may have had a red hat on which the person I saw
17 did but I...I don't remember when I saw this [REDACTED] but
18 it definitely wasn't [REDACTED] [REDACTED] was too skinny and
19 too tall.

20 INSPECTOR ENGLER: Okay the second person
21 that you saw there ah could ah and I believe
22 that...was that the person in the black.

23 [REDACTED] Ah ha.

24 INSPECTOR ENGLER: Is that the person in the
25 black hooded sweatshirt?

1 [REDACTED] Yeah [REDACTED] had a black hooded
2 sweatshirt and black and jeans with red shoes and
3 [REDACTED] had a totally different hat on and I felt like
4 [REDACTED] was too short and the hair was wrong.

5 INSPECTOR ENGLER: Okay so neither of those
6 people looked like the person you saw in the
7 doorway okay. Now I'm going to tell you we have a
8 third person and um we can't show [REDACTED] ah
9 unfortunately [REDACTED] had been moved so we weren't in a
10 position to actually do the same with that person
11 but um do you think if we were to show you photos
12 of this person that there's a chance you may be
13 able to identify this person.

14 [REDACTED] I think there's a chance.

15 INSPECTOR ENGLER: Okay well we'll do that at
16 a future time.

17 [REDACTED] Okay.

18 INSPECTOR ENGLER: [REDACTED]

19 [REDACTED]
20 [REDACTED] [REDACTED].

21 INSPECTOR ENGLER: Oh you are.

22 [REDACTED] Yeah.

23 INSPECTOR ENGLER: Oh good well we'll try not
24 to keep you much longer okay um as long...but that's
25 a good number where we can get a hold of you.

1 [REDACTED] Absolutely.

2 INSPECTOR ENGLER: [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 INSPECTOR ENGLER: Okay okay um that's okay
7 [REDACTED].

8 [REDACTED] Okay.

9 INSPECTOR ENGLER: Um.

10 [REDACTED] [REDACTED]

11 [REDACTED].

12 INSPECTOR ENGLER: We'll work it out we'll
13 make it convenient for you.

14 [REDACTED] Okay.

15 INSPECTOR PIERUCCI: I just wanted to ask you
16 this. You're...you're in the back [REDACTED] and [REDACTED] and
17 you look at the door cause you hear two shots you
18 said something like that.

19 [REDACTED] Yeah.

20 INSPECTOR PIERUCCI: You heard some shots.

21 [REDACTED] I was kind of just putting down
22 something like this and I heard it and I looked up
23 like this.

24 INSPECTOR PIERUCCI: Okay.

25 [REDACTED] And I realized what was happening

1 and I just went down.

2 INSPECTOR PIERUCCI: All right now you looked
3 over and you saw in that frame of the door outside
4 on the sidewalk you saw somebody there.

5 [REDACTED] Ah ha.

6 INSPECTOR PIERUCCI: Do me a favor see if you
7 can describe that person to me I mean as...as best
8 you can.

9 [REDACTED] Okay.

10 INSPECTOR PIERUCCI: Okay just go ahead.

11 [REDACTED] Okay [REDACTED] was taller and [REDACTED] was skinny
12 but [REDACTED] was athletic skinny [REDACTED] wasn't like scrawny
13 skinny. Um [REDACTED] was wearing a black hoodie and I
14 believe black pants. I didn't get the impression
15 they were jeans and then [REDACTED] had a bright red
16 baseball cap that looked very clean and new. I
17 just remember that and I think it had maybe a white
18 emblem on the front but [REDACTED] definitely had on a red
19 baseball cap.

20 INSPECTOR PIERUCCI: Okay.

21 [REDACTED] And [REDACTED] skin it's really hard to
22 tell. Um I got the impression that [REDACTED]
23 because [REDACTED] had kind of not long but longer hair was
24 definitely coming out of the cap and it looked
[REDACTED] more like

1 [REDACTED] So I mean my first impression was
2 that [REDACTED].

3 INSPECTOR PIERUCCI: Okay cause [REDACTED] hair was
4 coming out of the back of the.

5 [REDACTED] Yeah.

6 INSPECTOR PIERUCCI: Baseball cap.

7 [REDACTED] [REDACTED]

8 INSPECTOR PIERUCCI: [REDACTED]

9 [REDACTED] Ah ha.

10 INSPECTOR PIERUCCI: Is there anything else
11 maybe about [REDACTED] face anything about you know was [REDACTED]
12 wearing anything that stood out.

13 [REDACTED] I think [REDACTED] might have had [REDACTED]
14 [REDACTED] at this point [unintelligible].

15 INSPECTOR PIERUCCI: All right so when you
16 looked over and you saw that frame you saw this [REDACTED]
17 okay then you ducked you said right.

18 [REDACTED] Ah ha.

19 INSPECTOR PIERUCCI: Did you by chance as you
20 were ducking continue to look at that frame.

21 [REDACTED] No.

22 INSPECTOR PIERUCCI: No.

23 [REDACTED] Because I was definitely blocked and
24 I...I turned this way cause I was [unintelligible].

25 INSPECTOR PIERUCCI: All right so at what point

1 did you go back outside because I know that there
2 was a rush to the door then.

3 [REDACTED] Ah ha.

4 INSPECTOR PIERUCCI: Right is that the last
5 time you saw anything at...at all in front there.

6 [REDACTED] Yeah I mean it happened and I was
7 down and I was um you know pulling [REDACTED] down just
8 kind of freaking out and it had stopped and then I
9 think [REDACTED] said its okay get up get up and we
10 were [unintelligible] so yeah it was like people
11 were just kind of going to the window to look out
12 so we were in there maybe...[REDACTED] went and got us
13 some water. So we were maybe in there for four or
14 five minutes. It wasn't a very long time before
15 you know it had already been taped off and cops
16 were there totally surrounded the place and it was
17 very clear out there that we could scoot out.

18 INSPECTOR PIERUCCI: Okay and you had
19 walked...let's go back just a little bit okay. When
20 you were walking down and going into the pizza
21 place...this is in front of the taqueria there was a
22 bunch of people.

23 [REDACTED] Ah ha.

24 INSPECTOR PIERUCCI: Do you remember what they
25 were wearing?

1 [REDACTED] The one person I really remember
2 seeing was um sort of a bigger A [REDACTED] had a
3 [REDACTED]. [REDACTED] was wearing a black t-
4 shirt with like a white t-shirt underneath and
5 jeans.

6 INSPECTOR PIERUCCI: In front of the taqueria.

7 [REDACTED] Yeah.

8 INSPECTOR PIERUCCI: [REDACTED].

9 [REDACTED] Yeah.

10 INSPECTOR PIERUCCI: With what a white t-shirt.

11 [REDACTED] With a black t-shirt but a white
12 underneath.

13 INSPECTOR PIERUCCI: Black t-shirt.

14 [REDACTED] I don't know why I noticed [REDACTED] I
15 just...I...I noticed [REDACTED] because [REDACTED] looked pretty tough
16 and the group in general you know like I said they
17 were all kind of coordinated and so they stood out.
18 They were there they were a strong presence.

19 INSPECTOR PIERUCCI: Okay you said coordinated
20 the group was coordinated. Okay can you give me a
21 little bit of the description of each of these [REDACTED]
22 what...how they coordinated?

23 [REDACTED] Um I didn't really notice any other
24 faces but they were all just wearing black white
25 and red in different ways.

1 INSPECTOR PIERUCCI: Were they doing anything
2 with their hands at that...at that time were they you
3 know?

4 [REDACTED] I didn't notice I kind of just
5 looked straight ahead and minded my own business as
6 I walked by.

7 INSPECTOR PIERUCCI: All right is there
8 anything el...else out of the ordinary that you may
9 have seen that I'm asking you now maybe something
10 pops in your mind...anything at all. Okay did anybody
11 shout anything out?

12 [REDACTED] I didn't hear anybody.

13 INSPECTOR PIERUCCI: Okay.

14 [REDACTED] Because we were far enough in the
15 restaurant that probably wouldn't have heard
16 anything.

17 INSPECTOR ENGLER: I don't have any further
18 questions.

19 INSPECTOR: Okay just a couple
20 clarifications.

21 [REDACTED] Ah ha.

22 INSPECTOR: When you were inside the
23 restaurant did you hear a couple of what sounded
24 like gunshots?

25 [REDACTED] Ah ha.

1 INSPECTOR: You looked towards the doorway
2 and standing on the sidewalk but framed by the door
3 of the pizzeria you see a [REDACTED] standing there...the
4 [REDACTED] that you described ah holding a pistol and
5 shooting. Um and you said you subsequently you saw
6 [REDACTED] or heard [REDACTED] fire off a couple of other
7 [vollies].

8 [REDACTED] So I heard two I looked up I saw [REDACTED]
9 do three and then when I went down I still heard it
10 I think two to three more because I...it just amazed
11 me how long...it seemed to go on for a long time.

12 INSPECTOR: So when you ducked you could no
13 longer see where [REDACTED] went or ah ah what [REDACTED] did with
14 the gun.

15 [REDACTED] Ah ah.

16 INSPECTOR: When you said that you saw [REDACTED]
17 shooting ah [REDACTED] was shooting down towards Broadway
18 or...or ah was [REDACTED] shooting in another direction.

19 [REDACTED] I believe...I...I don't know the streets
20 that well but it was definitely down. Um that's
21 Broadway.

22 INSPECTOR PIERUCCI: And here's Columbus okay
23 and here's...here's Broadway.

24 [REDACTED] Right.

25 INSPECTOR PIERUCCI: But the pizzeria everybody

1 is putting in right here.

2 [REDACTED] Yeah.

3 INSPECTOR PIERUCCI: Right.

4 [REDACTED] Yeah.

5 INSPECTOR PIERUCCI: So I'm going to draw a box
6 here.

7 [REDACTED] Okay.

8 INSPECTOR PIERUCCI: That's the pizzeria okay
9 can you...can you just write pizzeria.

10 [REDACTED] Ah ha.

11 INSPECTOR PIERUCCI: All right so can you just
12 put you know where the [REDACTED] was and what direction
13 [REDACTED] was shooting.

14 INSPECTOR ENGLER: Is that is that good for
15 you?

16 INSPECTOR: Yeah that's perfect.

17 [REDACTED] So I believe that the door and
18 windows are pretty symmetrical so if that's the
19 entrance and [REDACTED] was about here shooting in this
20 direction.

21 INSPECTOR PIERUCCI: Okay all right so [REDACTED]

22 shooting.

23 [REDACTED] Down [unintelligible] that way.

24 INSPECTOR PIERUCCI: Basically south-southeast
25 the other direction of the...of the actual street the

1 way it's going.

2 [REDACTED] Yeah.

3 INSPECTOR PIERUCCI: Okay.

4 INSPECTOR: And as you see the ah...hear the
5 shooting um when you last heard ah this [REDACTED] fire
6 the [REDACTED] gun how soon after that do you remember
7 seeing or hearing the police or do you even
8 remember seeing or hearing when the police [after
9 that].

10 [REDACTED] It was really fast because I...I think
11 that's why people felt as safe as they did to get
12 up and start moving as quickly as they did.

13 INSPECTOR: Sure.

14 [REDACTED] Um.

15 INSPECTOR: And by...by fast you mean within
16 seconds within minutes.

17 [REDACTED] Within seconds...within seconds
18 absolutely.

19 INSPECTOR: I have no other questions.

20 INSPECTOR PIERUCCI: Ah I think I'm good ah if
21 there's anything else you know I...I'll call you
22 okay. I've got your cell phone your number.

23 [REDACTED] Ah ha.

24 INSPECTOR PIERUCCI: All right but yeah that's
25 fine. We're going to go ahead and end this ah

1 let's see the time is now 7:28 ending 0728 ending.

2 I'm going to go ahead and shut this off.

3 END OF DOCUMENT

1 INSPECTOR ENGLER: All right, we're ready.
2 This is in regards to case number 100609942.
3 Today's date is July 3rd, 2010. The time is 6:40 in
4 the AM. Uh, my name is Inspector Joseph Engler,
5 star 239. With me is my partner...

6 INSPECTOR PIERUCCI: Pierucci, 1604.

7 INSPECTOR ENGLER: ...And...

8 DA INVESTIGATOR JIMMY POSADA: Jim Posada,
9 District Attorney Investigator, 7044.

10 INSPECTOR ENGLER: [REDACTED] And [REDACTED]

11 [REDACTED] how do I spell your last name?

12 [REDACTED]

13 INSPECTOR ENGLER: Okay. [REDACTED] we asked you
14 to come down here to the Hall of Justice to give a
15 statement today. And we really appreciate you
16 coming down uh, voluntarily, and uh, talking about
17 this even that you witnessed tonight... um, or
18 earlier this morning. So, on today's date, July 3rd,
19 2010, sometime after one o'clock in the morning,
20 were you in the area of Columbus and Broadway?

21 [REDACTED] Yes.

22 INSPECTOR ENGLER: Okay. Where were you at?

23 [REDACTED] I was in the pizza place on
24 the... I think it was the east side.

25 INSPECTOR ENGLER: And you were in the pizza

1 place near... where Columbus and Broadway?

2 [REDACTED] Right.

3 INSPECTOR ENGLER: Okay. And what were you
4 doing there?

5 [REDACTED] I was getting a slice of
6 pizza.

7 INSPECTOR ENGLER: Okay.

8 [REDACTED] And then, I heard some [REDACTED]
9 say something along the lines of uh... said uh... "fuck
10 those [REDACTED]," or something along those
11 lines. And then I saw... I turned at that point... I
12 saw two, I believe it to be [REDACTED]... one of
13 which pulled out a black semi-automatic pistol out
14 of like a waistband. Either [REDACTED] pulled it out of [REDACTED]
15 waistband, or [REDACTED] had it lowered down there. Um,
16 fired off five-so-six shots. And then those two
17 took off around the corner, headed north of... I
18 guess it's Grant. Um, and then a police officer in
19 plain clothes came out, identified themselves as,
20 you know, a member of the police. Uh, chased them
21 around the corner... I heard one or two more shots
22 around the corner. I did not see those. At this
23 point I, kind of stepped outside of the pizza
24 place, and walked around the corner because [REDACTED]
25 had gone to the corner and I wanted [REDACTED] to go back

1 inside. I saw the police officer uh detain one of
2 the people.

3 INSPECTOR ENGLER: Let's back up. So, so, when
4 you first saw this argument that was happening
5 between these people...

6 [REDACTED] Mm-hmm.

7 INSPECTOR ENGLER: ...H, How many people were
8 present in this group that was arguing?

9 [REDACTED] I only saw the two people
10 that fired the shots. I didn't see who they were
11 arguing with.

12 INSPECTOR ENGLER: Okay. So, so, when you say
13 there's "two people that fired shots," um, are you
14 saying that... let's, let's talk about first, when
15 you first saw the gun. Can you describe that [REDACTED],
16 who you saw pull the gun out? You described it from
17 [REDACTED] front waistband, is that correct?

18 [REDACTED] Yes.

19 INSPECTOR ENGLER: Could you describe [REDACTED]
20 [REDACTED] was probably about [REDACTED]
21 [REDACTED], and appeared to be [REDACTED]
22 wearing jeans. And [REDACTED] was wearing a white shirt,
23 and maybe a black sweatshirt.

24 INSPECTOR ENGLER: So, to note... was it a black
25 hooded sweatshirt, a black zip-up jacket?

1 [REDACTED] Yeah, I think it was a black
2 hoodie.

3 INSPECTOR ENGLER: A black hoodie?

4 [REDACTED] Yeah.

5 INSPECTOR ENGLER: How do you know... if [REDACTED]
6 wearing a black hoodie, how do you know [REDACTED] got a
7 white shirt on underneath?

8 [REDACTED] Because [REDACTED] was lifting it.

9 INSPECTOR ENGLER: Oh. So you actually could
10 see the white shirt underneath, when the black
11 sweatshirt...

12 [REDACTED] Was lifted.

13 INSPECTOR ENGLER: ...Was lifted away from the
14 waistband?

15 [REDACTED] Yes.

16 INSPECTOR ENGLER: Okay. And when you saw it
17 lifted away from the waistband, could you see the
18 gun in [REDACTED] waistband?

19 [REDACTED] I don't know if [REDACTED] had it in
20 [REDACTED] waistband at the time, or if [REDACTED]. yeah I guess
21 it must have been, if [REDACTED] was lifting it up.

22 INSPECTOR ENGLER: Because it... whatever you
23 saw. I don't want to put words in your mouth.

24 [REDACTED] No. Like I said before, I
25 don't know if [REDACTED] had it in [REDACTED] waistband, or if [REDACTED]

1 just had the gun lowered there. But I definitely
2 remember seeing a white shirt.

3 INSPECTOR ENGLER: Okay. When this ga... gun
4 came out of an area, for the purposes of this
5 interview we'll say [REDACTED] waistband.. but you saw the
6 gun?

7 [REDACTED] Yes.

8 INSPECTOR ENGLER: How did you describe the
9 gun?

10 [REDACTED] It was black, semi-
11 automatic.

12 INSPECTOR ENGLER: Are you familiar with guns
13 at all?

14 [REDACTED] Semi.

15 INSPECTOR ENGLER: Um, how... what is your
16 experience?

17 [REDACTED] Just the shooting range. I,
18 I don't know.

19 INSPECTOR ENGLER: Okay. Um, what kind of gun
20 do you own?

21 [REDACTED] I own a .22 pistol, and an
22 Aero 15.

23 INSPECTOR ENGLER: Was this gun similar to
24 either gun that you own?

25 [REDACTED] No.

1 INSPECTOR ENGLER: Okay. So this particular
2 gun looked like what kind of gun?

3 [REDACTED] Like a... probably uh, any
4 kind of Glock, is what it seemed like.

5 INSPECTOR ENGLER: Okay. And it was black?

6 [REDACTED] It was black, yeah.

7 INSPECTOR ENGLER: Um, did you see this person
8 that you described as having a black sweatshirt,
9 did you see... what were [REDACTED] [unintelligible].

10 [REDACTED] Loose, against [REDACTED] neck.

11 INSPECTOR ENGLER: Okay. And did you see this
12 [REDACTED] uh, that was shooting?

13 [REDACTED] Yes.

14 INSPECTOR ENGLER: Uh, how many times?

15 [REDACTED] Five-to-six. I...

16 INSPECTOR ENGLER: Okay. Did you see [REDACTED] at
17 any point give the gun to anybody else?

18 [REDACTED] No.

19 INSPECTOR ENGLER: Did you see [REDACTED] at any
20 point drop the gun?

21 [REDACTED] No.

22 INSPECTOR ENGLER: Okay. From, from where you
23 were standing, how far from [REDACTED] were you? How far
24 were you [REDACTED] from one another when you saw [REDACTED]
25 shoot?

1 [REDACTED] I was just inside the
2 window, so maybe like five-to-seven feet.

3 INSPECTOR ENGLER: Pretty close.

4 [REDACTED] Pretty close
5 [unintelligible].

6 INSPECTOR ENGLER: Who was [REDACTED] who was [REDACTED]
7 shooting at?

8 [REDACTED] I couldn't see. I didn't
9 have full vision.

10 INSPECTOR ENGLER: What direction was [REDACTED]
11 shooting?

12 [REDACTED] was shooting south...
13 shooting towards Broadway.

14 INSPECTOR ENGLER: Okay. Um, could you use
15 this map and put an a, put a one where you were?
16 And then put the number two where [REDACTED] was? And draw
17 an arrow in the direction that you saw [REDACTED]
18 shooting.

19 [REDACTED] Yes.

20 INSPECTOR ENGLER: We're here.

21 [REDACTED] So let's here...so then, I'm
22 shooting... probably right in... right there.

23 INSPECTOR ENGLER: The shooting, okay. Can
24 you... do you mind if I do this?

25 [REDACTED] No.

1 INSPECTOR ENGLER: Okay. [REDACTED] shooting this
2 way, right?

3 [REDACTED] Right.

4 INSPECTOR ENGLER: Okay. The arrow's going
5 south.

6 [REDACTED] Mm-hmm.

7 INSPECTOR ENGLER: Sort of southeast, but
8 south, right? Okay? All right. And the [REDACTED] is in
9 front of the pizzeria?

10 [REDACTED] Yes.

11 INSPECTOR ENGLER: All right. How many... you
12 drew a box here and you put "Pizzeria." I mean,
13 that's just, that's where it was right?

14 [REDACTED] Yes.

15 INSPECTOR ENGLER: And you were inside that
16 pizzeria, correct? That's where the pizzeria is?

17 [REDACTED] Mm-hmm.

18 INSPECTOR ENGLER: And, and, mid-block,
19 correct?

20 [REDACTED] Right.

21 INSPECTOR ENGLER: And, and, and the pizzeria
22 is next to what? Is it next to any type of other
23 place that you know? If you don't know then that's
24 okay.

25 [REDACTED] I can't recall.

1 INSPECTOR ENGLER: Okay. That's fine. So, so
2 the pizzeria is right mid-block?

3 [REDACTED] Mm-hmm.

4 INSPECTOR ENGLER: And you're sitting in there
5 eating?

6 [REDACTED] I was standing... still
7 ordering.

8 INSPECTOR ENGLER: Standing and ordering a
9 pizza?

10 [REDACTED] Right.

11 INSPECTOR ENGLER: And you hear?

12 [REDACTED] I hear, I hear them start to
13 argue and say whatever, and I turn around and then
14 I see [REDACTED] pull a gun and fire off five-six shots.

15 INSPECTOR ENGLER: Could you identify this
16 [REDACTED] if you saw [REDACTED] again?

17 [REDACTED] Possibly.

18 INSPECTOR ENGLER: Were you taken anywhere to
19 identify anyone?

20 [REDACTED] Yes.

21 INSPECTOR ENGLER: This evening?

22 [REDACTED] Yes.

23 INSPECTOR ENGLER: Okay.

24 [REDACTED] I don't think... I don't...
25 think I... I'm not sure if it was [REDACTED] or not.

1 INSPECTOR ENGLER: Okay. So you were in a
2 police car?

3 [REDACTED] Yes.

4 INSPECTOR ENGLER: And you were brought to a
5 certain location?

6 [REDACTED] Correct.

7 INSPECTOR ENGLER: Okay. And you viewed some
8 people, or?

9 [REDACTED] Two people.

10 INSPECTOR ENGLER: Two people. And what
11 happened?

12 [REDACTED] Uh, the first one, I'm not
13 sure if it was the shooter, a hundred percent. It
14 could have been.

15 INSPECTOR ENGLER: Uh, hold on a second. First
16 one... can you describe the first one to me?

17 [REDACTED] was well-developed, [REDACTED]
18 [REDACTED], [REDACTED] [REDACTED] jeans, black sweatshirt,
19 [unintelligible] sweatshirt. Uh, [REDACTED] had paper bags
20 on [REDACTED] hands.

21 INSPECTOR ENGLER: Okay.

22 [REDACTED] And kind of
23 short hair... you know, kind of buzz-cut.

24 INSPECTOR ENGLER: Okay. So, you say that you
25 went there, [REDACTED] was the first one you saw?

1 [REDACTED] Mm-hmm.

2 INSPECTOR ENGLER: Okay. All right. And what
3 happened after you saw this [REDACTED] jeans,
4 dark-hooded sweatshirt, paper bags on [REDACTED] hands,
5 [REDACTED] what, what was [REDACTED] did you... [door opening
6 and closing] ...The police officers took [REDACTED] to a
7 location to view two individuals, and uh, [REDACTED] was
8 just...

9 [REDACTED] I'm not sure if [REDACTED] was or
10 was not the...

11 INSPECTOR ENGLER: And this is the [REDACTED] that
12 you described to me as [REDACTED]?

13 [REDACTED] Right.

14 INSPECTOR ENGLER: Okay. So, you weren't sure?
15 [REDACTED] I can't be certain.

16 INSPECTOR ENGLER: Okay. So, you said that
17 there was another [REDACTED] there?

18 [REDACTED] Yes.

19 INSPECTOR ENGLER: Okay.

20 [REDACTED] The second [REDACTED] appeared [REDACTED]
21 [REDACTED], I believe. Um, slightly taller
22 than the first [REDACTED] maybe, [REDACTED]... um,
23 kind of [REDACTED]. Um, I think [REDACTED] was wearing
24 jeans and a red shirt.

25 INSPECTOR ENGLER: Okay. This [REDACTED] was wearing

1 jeans and a red shirt? That's the second [REDACTED] that
2 you view?

3 [REDACTED] I think so.

4 INSPECTOR ENGLER: Okay. Was [REDACTED] anybody that
5 you had seen... at the location there?

6 [REDACTED] No, no. I don't think so.

7 INSPECTOR ENGLER: Okay. All right. So, let's
8 just, for the sake of cleaning all this up right?

9 [REDACTED] Mm-hmm.

10 INSPECTOR ENGLER: You were ordering pizza,
11 and very slowly, with as much detail as possible,
12 go over it one more time for us okay? As detailed
13 as possible.

14 [REDACTED] I was ordering pizza...

15 INSPECTOR ENGLER: Mm-hmm.

16 [REDACTED] I hear someone say, "fuck
17 those [REDACTED]." And then I turn around at
18 this point, and I see two [REDACTED] walking backwards,
19 looking down... looking up... facing towards Broadway.
20 I see the heavier-set [REDACTED] pull the gun from the
21 waistband area. The [REDACTED] lifted up [REDACTED] shirt, I see
22 a white t-shirt... fires off five-to-six shots. At
23 this point those two turn and run, moving away from
24 Broadway. And the police officer comes up and
25 identifies themselves, and run around the corner... a

1 couple more shots are fired. Go out, and I see the
2 officer's detained one person. Uh, that's about it.

3 INSPECTOR ENGLER: All right. [unintelligible]
4 I'm going to back you up to the point where you saw
5 the, you said that the... [REDACTED] in the black sweatshirt
6 lifts [REDACTED] shirt, and you can see [REDACTED] white t-shirt
7 underneath... and you see [REDACTED] pull a, a pistol out
8 from [REDACTED] waistband area... uh, do you remember what
9 hand [REDACTED] used?

10 [REDACTED] Uh, I believe [REDACTED] right
11 hand.

12 INSPECTOR ENGLER: Okay. Did you hear... did you
13 see [REDACTED] fire off...

14 [REDACTED] See? Yeah. See [REDACTED] fire off.

15 INSPECTOR ENGLER: ...Five or six rounds.

16 [REDACTED] Yes.

17 INSPECTOR ENGLER: Did you see the other [REDACTED]
18 with a gun, or?

19 [REDACTED] I did not notice the other
20 [REDACTED] with a gun.

21 INSPECTOR ENGLER: Okay.

22 [REDACTED] But I was kind of captivated
23 by the other [REDACTED]

24 INSPECTOR ENGLER: Okay. Did you see who they
25 were shooting at?

1 [REDACTED] I did not.

2 INSPECTOR ENGLER: Okay. Then you see them
3 turn and run towards... away from Broadway?

4 [REDACTED] Right.

5 INSPECTOR ENGLER: Okay. As they're running
6 away from Broadway, do you see uh, uh, a patrol
7 car... uh, what type of a police car did you see...

8 [REDACTED] I don't...

9 INSPECTOR ENGLER: ...If you remember.

10 [REDACTED] I don't recall seeing the
11 car, but the officer was in plain clothes. Uh, kind
12 of wearing a... I think it was a badge on a, like a...

13 INSPECTOR ENGLER: Sure.

14 [REDACTED] ...Necklace or whatever.

15 INSPECTOR ENGLER: Yeah. And how did you
16 identify police officer?

17 [REDACTED] His badge, and he identified
18 himself as a police officer.

19 INSPECTOR ENGLER: By "identify himself" did
20 he speak something? Did you hear something?

21 [REDACTED] Yes. He said, "stop,
22 police," or something along those lines to identify
23 them. So...

24 INSPECTOR ENGLER: Okay. Did he say it, or did
25 he yell it uh...

1 [REDACTED] He yelled it.

2 INSPECTOR ENGLER: Okay. And who... was he by
3 himself or was he with other officers?

4 [REDACTED] He was by himself initially.

5 INSPECTOR ENGLER: Uh-huh.

6 [REDACTED] Yeah. He was by himself, and
7 then this... other officer came to the scene... 30
8 seconds, a minute later.

9 INSPECTOR ENGLER: Okay. And so, from the
10 point you see [REDACTED] that shot the gun
11 and the other [REDACTED] running... how soon after you see
12 them shoot and run, do you see the plain clothes
13 police officer... um, run after them and
14 [unintelligible] identify themselves as a police
15 officer and...

16 [REDACTED] Maybe 10 seconds. He was
17 right by [REDACTED].

18 INSPECTOR ENGLER: And, today, um, did you
19 have anything to drink today, or...

20 [REDACTED] Uh, I guess I had two beers,
21 three beers earlier that evening. But...

22 INSPECTOR ENGLER: Over how long a period had
23 passed and you stopped?

24 [REDACTED] Eleven, eleven-thirty.

25 INSPECTOR ENGLER: Three beers at 11:30?

1 [REDACTED] Yes.

2 INSPECTOR ENGLER: What time would you say the
3 last time, uh, you had a beer, before this incident
4 happened? An hour before, a couple hours before?
5 Without me putting words in your mouth, just kind
6 of gauge it [unintelligible].

7 [REDACTED] Um, 20 minutes before.

8 INSPECTOR ENGLER: Okay. How would you
9 describe your senses, um...

10 [REDACTED] Absolutely fine.

11 INSPECTOR ENGLER: I don't have any more
12 questions. Okay. Um, is there anything that we
13 didn't... failed to ask that, that, that you
14 [unintelligible], or did we cover just about
15 everything?

16 [REDACTED] I think you [REDACTED] got
17 everything.

18 INSPECTOR ENGLER: Okay. Is there anyone else
19 that saw what... something similar to what you saw
20 this morning?

21 [REDACTED] Uh, [REDACTED] You [REDACTED] just
22 spoke to [REDACTED] this morning.

23 INSPECTOR ENGLER: That's the end of the
24 interview. The time is 6:57 in the morning.

25 DA INVESTIGATOR JIMMY POSADA: If you could

1 just write your name on there, because I'm not
2 going to able to... "6:57?" Is that what [REDACTED] said?

3 INSPECTOR ENGLER: 6:57. All right.

4 END OF DOCUMENT

1 SERGEANT JUAREZ: All right. This interview is
2 regarding the city case number OIS 10-005. It's
3 taking place in the Office of Management Control
4 Division on July 21st, at 2010, at 3:30 PM. And
5 conducting... I'll be conducting this interview. I'm
6 Martha Juarez, star number 1800. The member being
7 interviewed... if you could state your name and your
8 star number.

9 INSPECTOR NEWMAN: John D. Newman, N-E-W-M-A-
10 N. My star number is 1481.

11 SERGEANT JUAREZ: And representing you is?

12 POA ATTORNEY CHRISTOPHER SHEA: Christopher
13 Shea, attorney for the Police Officers Association.

14 SERGEANT JUAREZ: And also present?

15 SERGEANT JACKSON: Uh, Sergeant Jennifer
16 Jackson, star number 1405.

17 SERGEANT JUAREZ: Inspector Newman, have you
18 read the MCD report summary regarding allegations
19 of misconduct that have been made against you...
20 alleged misconduct? And that's basically the, the
21 form 83 form that we wrote on you, if you had, if
22 you were within policy of uh, discharging your
23 firearm.

24 INSPECTOR NEWMAN: Um, was that the form that
25 was in front of me earlier today?

1 SERGEANT JUAREZ: That's another form,
2 actually huh?

3 SERGEANT JACKSON: The 83?

4 SERGEANT JUAREZ: Yeah.

5 SERGEANT JACKSON: Uh...

6 INSPECTOR NEWMAN: I don't recall exactly 83.

7 SERGEANT JUAREZ: Because that's, that's that
8 form right? Because the 83 shows that um, that's
9 the allegation.

10 SERGEANT JACKSON: Right. And we're just...
11 yeah. The purpose of the administrative
12 investigation is to um, to basically determine if
13 the uh, officer-involved discharge or shooting fell
14 within policy, or fell out of policy. That, that,
15 that's the purpose of this whole...

16 INSPECTOR NEWMAN: Right. But the exact form,
17 the 83, I don't recall exactly that form.

18 SERGEANT JUAREZ: No. Then you, you probably
19 did it. So, I'll...

20 INSPECTOR NEWMAN: Okay.

21 SERGEANT JUAREZ: I'll take... I would give that
22 question back.

23 INSPECTOR NEWMAN: Okay.

24 SERGEANT JUAREZ: So, 20, 22 that question.

25 INSPECTOR NEWMAN: Sorry about that. Okay.

1 SERGEANT JUAREZ: No, no, no, it's okay, not
2 your fault. Uh, have you read Department General
3 Order 2.01, Rule 21?

4 INSPECTOR NEWMAN: I did. Yes.

5 SERGEANT JUAREZ: And that was the one right
6 here in front of you.

7 INSPECTOR NEWMAN: Yes, I did read that.

8 SERGEANT JUAREZ: And you understand it?

9 INSPECTOR NEWMAN: Yes, I do.

10 SERGEANT JUAREZ: Okay. Have you read
11 Government Code 3303E, which is the one there also
12 at the bottom?

13 INSPECTOR NEWMAN: I did. I read this in
14 entirety.

15 SERGEANT JUAREZ: And you understand that?

16 INSPECTOR NEWMAN: Yes.

17 SERGEANT JUAREZ: Okay. Do you understand that
18 this interview is being tape-recorded?

19 INSPECTOR NEWMAN: Yes, I do.

20 SERGEANT JUAREZ: Okay. Are you prepared to be
21 interviewed at this time?

22 INSPECTOR NEWMAN: Yes.

23 SERGEANT JUAREZ: Okay. Um, I'm sure... have you
24 explained to him about the Lybarger, the Miranda
25 and all that, that that has to go on here?

1 INSPECTOR NEWMAN: Um, I'm familiar with that.

2 SERGEANT JUAREZ: Okay. Great.

3 SERGEANT JACKSON: So...

4 INSPECTOR NEWMAN: I have no issue with
5 whatever you have to do.

6 SERGEANT JACKSON: So, all right, at this
7 point...

8 POA ATTORNEY CHRISTOPHER SHEA: My
9 understanding was that this would be a compelled
10 statement.

11 SERGEANT JUAREZ: Right.

12 SERGEANT JACKSON: It is a compelled
13 statement. So we're going to put, we're going to
14 put Lybarger on...

15 POA ATTORNEY CHRISTOPHER SHEA: So... yeah,
16 right.

17 SERGEANT JACKSON: ...On record. So, so
18 essentially you're not, you're not prepared to be
19 interviewed at this time. And we're going to read
20 the Lybarger admonition and uh, prepare you to make
21 a statement, a compelled statement.

22 INSPECTOR NEWMAN: No problem.

23 POA ATTORNEY CHRISTOPHER SHEA: Okay. So, just
24 so we're clear. Um and... what, what, uh, uh,
25 Martha's going to do is read you your Miranda

1 rights. You're going to assert, because you've
2 already given a statement about what happened,
3 right? So this is an administrative interview where
4 the Department is compelling you to talk.

5 INSPECTOR NEWMAN: I understand.

6 POA ATTORNEY CHRISTOPHER SHEA: Okay. So you
7 are not prepared to be interviewed.

8 INSPECTOR NEWMAN: No.

9 POA ATTORNEY CHRISTOPHER SHEA: Okay.

10 SERGEANT JUAREZ: Okay.

11 POA ATTORNEY CHRISTOPHER SHEA: So go ahead.

12 SERGEANT JUAREZ: [LAUGHTER]

13 INSPECTOR NEWMAN: [UNINTELLIGIBLE]

14 SERGEANT JUAREZ: Okay. Due to the nature of
15 this administrative investigation, Government Code
16 Section 3303H, requires me to advise you of your
17 Constitutional rights. Therefore it is important
18 for you to understand that criminally, you have the
19 right to remain silent. Anything you say may be,
20 may be used against you in court. You may have... and
21 you have the right to an attorney before and during
22 questioning. Do you understand each of these rights
23 as I have explained them to you?

24 INSPECTOR NEWMAN: Yes.

25 SERGEANT JUAREZ: Okay. With these rights in

1 mind, would you like to speak to me now?

2 POA ATTORNEY CHRISTOPHER SHEA: No.

3 INSPECTOR NEWMAN: No, I don't.

4 SERGEANT JUAREZ: Okay. While you have the
5 right to remain silent with regard to any criminal
6 investigation, you don't have the right to refuse
7 any of my questions administratively. This is an
8 administrative investigation. I work for the
9 Management Control Division of the San Francisco
10 Police Department. I have been designated by the
11 Chief of Police to conduct this investigation. I am
12 therefore ordering you to answer all of my
13 questions fully and honestly. If you refuse to
14 answer any of my questions, your silence can be
15 deemed insubordination, and result in an
16 administrative discipline up to and including
17 termination. Any statement you make under
18 compulsion or the threat of such discipline is for
19 administrative purposes only, and cannot be used
20 against you criminally. Your statement and any
21 information gathered will be held confidential,
22 consistent with California Penal Code Section
23 832.7, and information gathered will not be
24 divulged, except as required by law. Inspector
25 Newman, are you prepared to be interviewed at this

1 time?

2 INSPECTOR NEWMAN: Yes.

3 SERGEANT JUAREZ: Okay, great. Now we got all
4 that out of the way. Okay. So, we're going to talk
5 about what happened on July 3rd...

6 INSPECTOR NEWMAN: Third.

7 SERGEANT JUAREZ: ...Uh, 2010. Basically you
8 were involved in an officer-involved shooting?

9 INSPECTOR NEWMAN: Yes.

10 SERGEANT JUAREZ: Uh, I was able to uh, listen
11 to your homicide, uh, interview. So I have an idea
12 of exactly what happened, but I'm going to just...
13 this interview is to clear up, um, clear up certain
14 things that come into question.

15 INSPECTOR NEWMAN: Okay.

16 SERGEANT JUAREZ: Prior to this interview you
17 saw some pictures. Uh, you were made privy to the,
18 the dispatch tape that was uh, put out there. So
19 first off, just let me get some other stuff out of
20 the way first.

21 INSPECTOR NEWMAN: Okay.

22 SERGEANT JUAREZ: How long have you worked for
23 this Department?

24 INSPECTOR NEWMAN: I joined the San Francisco
25 Police Department [REDACTED].

1 SERGEANT JUAREZ: Okay. And what is your
2 current assignment?

3 INSPECTOR NEWMAN: Um, I'm currently assigned
4 the night watch of the uh, Criminal Investigation
5 Unit, CIU.

6 SERGEANT JUAREZ: Okay. Did you have all your
7 equipment the night that uh... July 3rd?

8 INSPECTOR NEWMAN: I believe I had my
9 equipment.

10 SERGEANT JUAREZ: Okay. Can you tell me what
11 your equipment was?

12 INSPECTOR NEWMAN: Um, on my... you mean that I
13 had on?

14 SERGEANT JUAREZ: On your person, yes.

15 INSPECTOR NEWMAN: Yeah. I was wearing a uh, a
16 open... a shirt like this, a white shirt. I had
17 slacks and a sport coat. And I had my Department-
18 issue firearm in the holster that I was issued
19 through the Department, um, on the right side of my
20 hip. On my left side, I had a um, uh, an extra
21 magazine and handcuffs. And that's what I had that
22 night.

23 SERGEANT JUAREZ: Okay. But at that, that
24 night of the incident, you were not wearing your
25 jacket, correct?

1 INSPECTOR NEWMAN: No, I wasn't wearing my
2 coat. And I had... I'm sorry, I had my star on the
3 front of my gun as well.

4 SERGEANT JUAREZ: Oh.

5 INSPECTOR NEWMAN: My police inspector star.

6 SERGEANT JUAREZ: Okay. One of the questions I
7 have, was less-lesal... less-lethal options. Did you
8 have any available to you, on your person or in
9 your vehicle?

10 INSPECTOR NEWMAN: I left something out. I had
11 my radio also on me. It was in my back pocket, and
12 it was clipped on the front of me as well.

13 SERGEANT JUAREZ: Okay.

14 INSPECTOR NEWMAN: My police radio. Uh, no, we
15 were not equipped with less-lethal.

16 SERGEANT JUAREZ: Does that an option given to
17 people in the Criminal Investigation Unit? Just,
18 kind of curious.

19 INSPECTOR NEWMAN: You know, I'm not sure.

20 SERGEANT JUAREZ: Okay.

21 INSPECTOR NEWMAN: Uh, I've been there just a
22 short time. I just currently left uh, another unit,
23 and I'm not sure if that is an option, uh, for the
24 investigation... for the investigators at night where
25 I'm assigned to.

1 SERGEANT JUAREZ: Okay. And that night you
2 were working with Sergeant Kasper. And how long
3 have you been working with him?

4 INSPECTOR NEWMAN: Probably about a month.

5 SERGEANT JUAREZ: Okay.

6 INSPECTOR NEWMAN: About a month or so.

7 SERGEANT JUAREZ: Okay. And that evening, were
8 you wearing your primary weapon?

9 INSPECTOR NEWMAN: Yes.

10 SERGEANT JUAREZ: And your primary weapon is?

11 INSPECTOR NEWMAN: Um, I believe it's the Sig
12 Sauer .40 caliber, that I was issued through the
13 Department.

14 SERGEANT JUAREZ: Okay. Um, knowing you for as
15 long as I've known you, you've had specific
16 training in tactical... in tactical uh, training.

17 INSPECTOR NEWMAN: Yes, I have.

18 SERGEANT JUAREZ: Can you go ahead and
19 elaborate what tactical training you've had as for
20 tactics?

21 INSPECTOR NEWMAN: You know, I, I've had a
22 lot. I was uh, in combined, um, I, I worked
23 narcotics. And during my time at narcotics, I was a
24 Specialist. Um, I was on the Spec Team for
25 approximately eight years. Um, during the time that

1 I wasn't narcotics, I went through DEA entry
2 school. To me that's tactical. Um, you know, I had
3 a lot of training in that. Um, during the time I
4 was at narcotics, I took a Tac test, and I did very
5 well, and I ended up going to Tac full time. Um,
6 during that time... you know, I've taken so many
7 courses, in-house training... every-other Wednesday
8 is a training day for us at Tac. And uh, to be
9 quite honest with you, uh, to, to lay out exactly
10 all of my training... you know I've gone back to New
11 Mexico, to New Mexico Tech, for post-bomb blast
12 courses. I'm certified at Baton Impact Weapons
13 Instructor. I've done a lot of tactical courses,
14 handgun courses. I've been issued a sub... a long
15 gun, which was a uh, A2K223 fully automatic. I was
16 assigned a, uh, uh, MP40 uh, fully automatic
17 capability on it. Um, I've done a lot of entries.
18 Um, I've done entries where I've encountered people
19 with guns. Um, and I've done um, a lot of training
20 with... well we trained actually uh, FBI, San
21 Francisco FBI office. I was one of the instructors
22 that trained the FBI. Uh, when we had uh, the
23 Schlage Lock training out on Bayshore, I was one of
24 the main facilitators running that day-in and day-
25 out, for approximately eight months um, assigned to

1 that training itself where I oversaw the officers
2 who would come through, and make sure that the
3 tactics they were being shown were correct tactics.

4 SERGEANT JUAREZ: What was the purpose of the
5 Schlage Lock training, if you could elaborate more
6 on that?

7 INSPECTOR NEWMAN: Yes ma'am. It was to bring
8 our Department up to speed on how to go after,
9 after an active shooter. An active shooter, for
10 definition is somebody who is in the midst of just
11 committing a homicide with a handgun, and is maybe
12 still doing it while the officer is still present.
13 Where it afforded the officers uh, tactical, uh,
14 techniques on how to [REDACTED] and do [REDACTED]
15 [REDACTED], uh [REDACTED], and how to communicate,
16 and how to um, basically encounter a live shooter,
17 an active shooter with tactics on our end to
18 benefit the officers tactically.

19 SERGEANT JUAREZ: And you said you did this
20 eight months day-in and day-out?

21 INSPECTOR NEWMAN: Yes, I did.

22 SERGEANT JUAREZ: You trained approximately
23 how many officers do you think?

24 INSPECTOR NEWMAN: Pretty much the whole
25 Department.

1 SERGEANT JUAREZ: Okay and so pretty much...

2 INSPECTOR NEWMAN: At that time.

3 SERGEANT JUAREZ: ...About 2000 strong?

4 INSPECTOR NEWMAN: Yes, ma'am.

5 SERGEANT JUAREZ: Okay. Okay great, thank you.

6 The night of the um, of July 3rd, the night you

7 involved in the shooting on the 400 block, or point

8 on 300 block of Columbus Street...

9 INSPECTOR NEWMAN: Right.

10 SERGEANT JUAREZ: ...Can you describe that

11 lighting that evening, what you saw, what, what

12 type of lighting conditions did you see that night?

13 INSPECTOR NEWMAN: Um, you know, I'm kind of

14 going off of memory. And uh, the... when we turned

15 off of Broadway onto Columbus, um, I know there

16 were businesses open. Um, I don't recall if there

17 were streetlights directly in front, but I know

18 there was low lighting from uh, some of the

19 businesses. Uh, I know that there was a burrito

20 shop that was clearly open. I know that there was a

21 strip joint to the left of it, Little Darlings,

22 that was open. Um, you know, and then as we got up

23 to Grant, lighting was kind of darker. So it was

24 kind of hit and miss, depending on where you were

25 at.

1 SERGEANT JUAREZ: Okay. But it was a clear
2 night that night? Would you say?

3 INSPECTOR NEWMAN: It was a clear night.

4 SERGEANT JUAREZ: No any weather, any fog,
5 any... drizzle, anything like that?

6 INSPECTOR NEWMAN: I don't think there was an
7 overcast, night, no, no.

8 SERGEANT JUAREZ: Okay. So it was a clear
9 night?

10 INSPECTOR NEWMAN: It was fairly clear night.

11 SERGEANT JUAREZ: Okay. Uh, can you just... uh,
12 the...[PHONE RINGING]

13 POA ATTORNEY CHRISTOPHER SHEA: Sorry about
14 that.

15 SERGEANT JUAREZ: That's okay. So the night of
16 the shooting, I understand that you saw them? They
17 were verbally engaging in an argument. You, I
18 understand that you thought... that shots were heard
19 by you, and you saw a suspect.

20 INSPECTOR NEWMAN: I saw a person... exactly
21 what happened was when I turned onto Columbus, I
22 was in the uh, passenger side of our plain clothes
23 vehicle. Um, I was uh, very close on, on the fire
24 lane. There's a bus stop and then the sidewalk, so
25 I was just a number of feet away from the crowd.

1 And I saw one of the occupants... it was a large
2 crowd... about 25, 30 people. And I saw one person
3 take a jacket off, and have a tank top on, yelling,
4 with hands up, like [REDACTED] was challenging other
5 members in that crowd. Um, I later saw um, a person
6 with a handgun, outright position firing into the
7 crowd. And [REDACTED] was just a few feet away from me
8 while I was in the car. That's what I had seen.

9 SERGEANT JUAREZ: Approximately how many feet
10 away from you would you say [REDACTED] was?

11 INSPECTOR NEWMAN: During the time [REDACTED] was
12 firing?

13 SERGEANT JUAREZ: While [REDACTED] was firing, you
14 were in the vehicle.

15 INSPECTOR NEWMAN: Yeah.

16 SERGEANT JUAREZ: Okay, so...

17 INSPECTOR NEWMAN: Yeah, I would say probably...
18 um, in the lane of traffic, then we have the bus
19 stop and then the curb, give or take, uh, at that
20 point in time, maybe 20 feet.

21 SERGEANT JUAREZ: Okay. I have some pictures
22 that I had you see beforehand. And for the purposes
23 of the tape, what I'm going to show you first is a
24 picture of Broadway and Columbus, which is right
25 here. So, the picture that's labeled "Broadway and

1 Columbus," were you... would you say you were
2 traveling from Broadway and you turned on here?

3 INSPECTOR NEWMAN: Absolutely.

4 SERGEANT JUAREZ: Okay.

5 INSPECTOR NEWMAN: That's exactly what we did.

6 SERGEANT JUAREZ: Okay. Now the next picture...

7 INSPECTOR NEWMAN: Again, Jon Kasper was the
8 driver. I was the passenger.

9 SERGEANT JUAREZ: Right, exactly. Now, for the
10 purpose of the tape, for the next picture, it's
11 "█████ Columbus." Where would you say the vehicle...
12 your vehicle was positioned to when you saw the
13 shots being fired? And that's... I, I labeled it as
14 "█████ Columbus," but... and I, that's █████ Columbus
15 there, but this is █████ where Little Darlings is at?

16 INSPECTOR NEWMAN: Yeah, I would say um,
17 between the back door... between the back tire of
18 this police car here, and uh, and this area here by
19 the middle of the taco shop.

20 SERGEANT JUAREZ: Okay.

21 POA ATTORNEY CHRISTOPHER SHEA: Okay so
22 you're... let me, so the record's clear, you're
23 referring to the...

24 INSPECTOR NEWMAN: Shooter. And █████ was moving.

25 POA ATTORNEY CHRISTOPHER SHEA: Where the

1 shooter was. But you're referring... when you say
2 this police care here, you're referring to that
3 police car in that photograph that's...

4 INSPECTOR NEWMAN: In the lane of traffic.

5 POA ATTORNEY CHRISTOPHER SHEA: ...On the far
6 left-hand side.

7 INSPECTOR NEWMAN: Yeah.

8 POA ATTORNEY CHRISTOPHER SHEA: Okay.

9 SERGEANT JUAREZ: Okay. So you're then, that's
10 what you're saying, you were in the number 2 lane,
11 which would be right in the position where the
12 police cars are here.

13 INSPECTOR NEWMAN: Wh, We're moving.

14 SERGEANT JUAREZ: Okay.

15 INSPECTOR NEWMAN: And █ was moving. So I,
16 you know, I first saw the crowd back here. And, and
17 there was activity with, with people back... to like
18 at, at least this first tree, right in that area.
19 And I...

20 SERGEANT JUAREZ: Okay.

21 INSPECTOR NEWMAN: And, and I saw the shooter,
22 as we're driving, remember as we're in motion...

23 SERGEANT JUAREZ: Mm-hmm.

24 INSPECTOR NEWMAN: ...It was probably right in
25 this area here... in between here and here. Because

1 [REDACTED] fired, and [REDACTED] didn't stand still. [REDACTED] kept
2 firing.

3 SERGEANT JUAREZ: Okay.

4 INSPECTOR NEWMAN: So, you know, I, I, it was
5 probably right in here to this area here where [REDACTED]
6 was shooting.

7 SERGEANT JUAREZ: Okay. Now, if you would be
8 able to go ahead and mark with this red Sharpie,
9 where you think your police vehicle was in terms of
10 when you first saw the shots being fired.

11 INSPECTOR NEWMAN: Police one.

12 SERGEANT JUAREZ: Okay. All right, great. So
13 you were right there, approximately 20 feet from
14 when you saw [REDACTED] start firing.

15 INSPECTOR NEWMAN: Yeah.

16 SERGEANT JUAREZ: Okay. And then in this next
17 picture, it's a picture that's labeled "Columbus
18 and Grant." So, I don't know if that gives you a
19 better view of where you think your car was, but I...
20 what I'm doing is showing you this picture that
21 shows out onto Grant.

22 INSPECTOR NEWMAN: Well, I, I know there was a
23 ramp right here. There was like a, a, a ramp going
24 right in here, into this strip club. And I know for
25 a fact that I saw [REDACTED] right in that, right in front

1 of that sidewalk firing.

2 SERGEANT JUAREZ: Okay.

3 INSPECTOR NEWMAN: Um, so this is kind of on a
4 turn...

5 SERGEANT JUAREZ: Mm-hmm.

6 INSPECTOR NEWMAN: ...And like I said, the first
7 time, you know, this is a very awkward position.

8 It's across the street. I was definitely right
9 here, in the car still, watching █ fire right in
10 front of Little Darlings.

11 SERGEANT JUAREZ: Okay.

12 INSPECTOR NEWMAN: Um, you know, I don't know
13 if █ first... I don't know if what series of rounds,
14 but I did see █ here. Um, I did see activity back
15 here. Like I said, █ was going backwards.

16 SERGEANT JUAREZ: Okay. And then at that
17 point, what happened after that?

18 INSPECTOR NEWMAN: Um, I, I honed in on that
19 █ I put out what I could. Um, after listening to
20 the tape, I, I made a mistake. I put out "500 block
21 of Broadway," and it was purely stress. I was on
22 the 300 block of Columbus, and that was my error.
23 Just... you know, getting caught up in it, and I
24 didn't realize I put that out.

25 SERGEANT JUAREZ: Okay, no problem.

1 INSPECTOR NEWMAN: And um, you know, I knew...
2 my mind, I, I didn't know if █ had just killed
3 people. I mean, I can tell, I can... I knew █ shot,
4 you know, from, from shooting a lot in my career...
5 at, at the police range... tactical attack, I knew █
6 fired at least four-to-six rounds. And, um, I knew
7 it was a crowd, and I knew there was a lot of
8 people there. And I didn't know if I had multiple,
9 uh, homicide victims or not. I knew I had, I had
10 people going down and hurt.

11 SERGEANT JUAREZ: Okay. And what happened
12 after that?

13 INSPECTOR NEWMAN: I kept my eye on the
14 shooter, and I did not want to let █ get through
15 that crowd and get away from me. So, I kept an eye
16 on █ And uh, you know, uh, just more or less
17 watched █ where █ was going. But I also realized
18 that um, I couldn't shoot into the crowd. There was
19 too many people. Um, that I had to kind of be
20 careful, knowing that this █ had total disregard
21 for life, and █ was a continuing threat to the, to
22 the community, to myself, uh, Jon Kasper, and to
23 law enforcement that may be responding, as well as
24 other citizens that were in the area that were
25 walking down from Grant onto Columbus, not knowing

1 what they're walking into, that this [REDACTED] posed a
2 great threat to the community. Um, I, I knew I had
3 to take them on, and I had a short window to do it.
4 And um, you know, I, I let [REDACTED] get out of the crowd
5 as far as I could before I could take [REDACTED] on where
6 I felt it was a tactical place to take [REDACTED] on.

7 SERGEANT JUAREZ: Okay. Now, um, the questions
8 that I asked, they seem like they're... it's like a
9 question that... why would you even ask that. But
10 what I'm trying to do is get your frame of mind,
11 what you were thinking. So, why did you discharge
12 your weapon?

13 INSPECTOR NEWMAN: To stop the threat. I, I
14 was shooting to stop the threat of this individual.
15 Um, I had just witnessed [REDACTED] shoot, not knowing, uh
16 the medical condition of these people. Um, I felt
17 that there were multiple homicides perhaps. Um, I
18 also saw that uh, you know, [REDACTED] was... [REDACTED] dress, [REDACTED]
19 attire, mannerisms were consistent with gang
20 activity. I knew that this person was possibly a
21 gang member. Um, I saw people fleeing in the
22 direction with [REDACTED] I didn't know, you know, were
23 they other people that [REDACTED] was possibly going to
24 shoot. I didn't know if they were with [REDACTED] I
25 didn't know what the, what the situation was.

1 SERGEANT JUAREZ: Mm-hmm.

2 INSPECTOR NEWMAN: Um, and when I gave a
3 verbal order getting out of the car for [REDACTED] to drop
4 the gun, I, I, there was a threat posed to me and I
5 fired to stop the threat that was posed to me.

6 SERGEANT JUAREZ: Okay. What do you recall
7 saying to [REDACTED] that night?

8 INSPECTOR NEWMAN: Um, I think I got out of
9 the car, and when I saw [REDACTED] I, I honed in on that
10 one [REDACTED] I, I, it, it was uh, the person here.

11 SERGEANT JUAREZ: Okay. There's two people and
12 with... just for the purpose of this tape...

13 INSPECTOR NEWMAN: Yeah.

14 SERGEANT JUAREZ: ...I have two pictures here.
15 One picture of a [REDACTED] who was booked that
16 night, and also another picture of [REDACTED]
17 [REDACTED] who was also booked that evening. I do
18 not know who is who, so for the purposes of this,
19 this is why I brought these pictures out.

20 INSPECTOR NEWMAN: No problem.

21 SERGEANT JUAREZ: So, can you... okay, go ahead
22 and explain what you were about to.

23 INSPECTOR NEWMAN: I had never seen this
24 person before.

25 SERGEANT JUAREZ: Okay.

1 INSPECTOR NEWMAN: Uh, [REDACTED] This
2 person here, this is the first time I've seen this
3 picture, but [REDACTED] face, the eyes, the mouth, and the
4 way [REDACTED] cheekbones come to a point, are consistent
5 with the person that I saw firing a firearm that
6 night on the 300 block of Columbus.

7 SERGEANT JUAREZ: Okay. So, this is the [REDACTED]
8 you honed in on that [REDACTED]

9 INSPECTOR NEWMAN: Oh yeah. Yes.

10 SERGEANT JUAREZ: Okay. And you kept your eyes
11 on [REDACTED]

12 INSPECTOR NEWMAN: Yes, I did.

13 SERGEANT JUAREZ: Okay, great. Now, with this
14 picture, this picture here is labeled "Grant
15 Avenue." Now, I understand you followed [REDACTED] and
16 you followed [REDACTED] up Grant Street.

17 INSPECTOR NEWMAN: Yeah.

18 SERGEANT JUAREZ: And for the purpose of this
19 picture, can you tell me where... in your statement
20 you state to homicide that you took a position be
21 uh, besides uh, two cars.

22 INSPECTOR NEWMAN: Yeah.

23 SERGEANT JUAREZ: The cars could have been
24 moved by the time this picture was taken. I don't
25 know. But I was wondering if you can give me

1 approximate location of where you were, to where
2 the suspect was at the time of your shoot?

3 INSPECTOR NEWMAN: Well, I know for a fact
4 there was a car right here, and that car took off
5 in the midst of everything. So, I would say, right
6 in this area, I fired somewhere right around here.

7 SERGEANT JUAREZ: Okay. So that would be you,
8 the first X?

9 INSPECTOR NEWMAN: Yes.

10 SERGEANT JUAREZ: The arrow that you are
11 making toward the building?

12 INSPECTOR NEWMAN: Officer... yeah. And I was
13 kind of in between the cars, moving to stop [REDACTED]
14 because I walked a foot beat in this area in years
15 past, um, out of Central Station, and I knew that
16 the terrain was gonna change. And um, I kept
17 watching this person, knowing [REDACTED] was with the
18 handgun. Um, I, I also saw that this building here
19 had a brick background, and I didn't know if this
20 business was open. It looked to me like it was
21 dark, closed. I felt that was a safe area to take
22 [REDACTED] on. Um, and that when I, ID'd, ID'd myself and
23 myself and said, "Police, drop the gun," or
24 "Police, drop the fucking gun," one or the other. I
25 don't remember exactly what I said. Um, but I did

1 ID myself and told [REDACTED] to drop the gun.

2 SERGEANT JUAREZ: Okay. And you were
3 approximately how many feet from there to there?

4 INSPECTOR NEWMAN: Uh, I was probably closer
5 to the sidewalk...

6 SERGEANT JUAREZ: Okay.

7 INSPECTOR NEWMAN: ...Actually. This is just a
8 kind of a bad deception so...

9 SERGEANT JUAREZ: Right.

10 INSPECTOR NEWMAN: ...Just somewhere in that
11 area, because I was on the move towards [REDACTED]

12 SERGEANT JUAREZ: Okay.

13 INSPECTOR NEWMAN: ...And I know the closest
14 point that I was at [REDACTED] probably right in here,
15 you know, um, there was a lot of people. [REDACTED] had
16 people around [REDACTED] I didn't... uh, it wasn't safe for
17 me to ID myself at that point. I wanted to kind of
18 pick and choose just for my safety, as well as [REDACTED]
19 and the safety of the people...

20 SERGEANT JUAREZ: Mm-hmm.

21 INSPECTOR NEWMAN: ...In the area.

22 SERGEANT JUAREZ: Okay. Okay, so you said, uh,
23 you did identify yourself as the police?

24 INSPECTOR NEWMAN: Yes, I did.

25 SERGEANT JUAREZ: And you told [REDACTED] to go ahead

1 and drop the weapon?

2 INSPECTOR NEWMAN: Yes.

3 SERGEANT JUAREZ: And were [REDACTED] actions?

4 INSPECTOR NEWMAN: Um, I recall [REDACTED] turning,

5 uh, [REDACTED] was on the building line, and I do remember

6 that there was another person wearing like all blue

7 or all black that slowed down like as if to wait

8 for um, the person that I saw firing the weapon.

9 That person was closer to the uh, street-side of

10 the sidewalk. And that person like slowed down,

11 but, you know, I, I still had to watch who I knew I

12 had just seen fire into the crowd. And when I gave

13 the order, the person that I saw fire, turned,

14 posing the weapon to me, which I felt was a threat

15 to me, and I shot to stop that threat. And I knew I

16 couldn't shoot upper body, because the window and

17 um, you know, there were people around, and [REDACTED] was

18 on the move. It wasn't like, uh, shooting at the

19 range. It was not a controlled shooting atmosphere.

20 And um, I fired one round, to stop what I thought

21 was the threat at that immediate time. Did an

22 assessment. There was no continuing threat. I only

23 fired one round. That's the only threat that I had,

24 and um, I, I knew that was my shooter. And

25 listening to the tape, it was stressed for me not

1 to be able to go on tape saying I have the [REDACTED]
2 But, I think in the confusion, that these other two
3 [REDACTED] wh, what I think happened, [REDACTED] was in the
4 process of handing the gun off. But not... in the
5 middle of that I didn't realize that at the time.

6 SERGEANT JUAREZ: Okay. That... no question with
7 that. Um, so when you say you gave your order, you,
8 you shot your weapon at that time, you assess the
9 situation, you assessed it, you said there was no
10 longer a threat, why was there no longer a threat?

11 INSPECTOR NEWMAN: Um, because I remember the
12 person I saw with the firearm. [REDACTED] immediately
13 dropped, [REDACTED] faced me, [REDACTED] was on [REDACTED] knees with [REDACTED]
14 hands behind [REDACTED] head. Um, and I also, from the
15 point where the building line on Columbus Avenue...
16 kind of where the pole is here, that's in a very
17 good deception, you know, um, I fired I believe in
18 this area. Um, and in my mind, I made the tactical
19 decision, that I was not gonna let the shooter get
20 past this point, because [REDACTED] back would have been
21 to me, and there was still a large crowd up in
22 front of the saloon nightclub. And there were more
23 people up there that, you know, I, I did not feel
24 comfortable um, shooting... and not shooting, but I
25 didn't feel comfortable making an ID of police to...

1 cuz [REDACTED] back would be to me going up Grant Street.
2 I didn't think that would be uh, very wise. So
3 that's why I chose... this was my final point to take
4 [REDACTED] on.

5 SERGEANT JUAREZ: Okay. And then speaking of
6 [REDACTED] okay... so you say [REDACTED] got down on the ground,
7 that's the [REDACTED] you identified as the shooter?

8 INSPECTOR NEWMAN: Absolutely.

9 SERGEANT JUAREZ: You are positive about that?

10 INSPECTOR NEWMAN: Yes, I am.

11 SERGEANT JUAREZ: And, before the interview
12 started, you were given the opportunity to listen
13 to the DEM tape, which was the 911 tapes that were
14 taken that night.

15 INSPECTOR NEWMAN: Right.

16 SERGEANT JUAREZ: And in order to clarify a
17 situation, in the 911 tapes, and the... if you'd like
18 me to play it back I can, if not... in the 911 tapes
19 it says you have a person that was with the
20 shooter, the shooter went down...

21 INSPECTOR NEWMAN: Yeah. I...

22 SERGEANT JUAREZ: ...That's what I need to
23 clarify to make sure you have the right person.

24 INSPECTOR NEWMAN: I, well you know, that was
25 very sharp of you to catch that. Um, I, I paid

1 attention to that at two minutes and thirty-seven
2 seconds. Um, that... it was just nothing more than
3 just stress because I think I may have seen the
4 other... the other [REDACTED] close to [REDACTED] but in my mind,
5 I have that shooter, and I think I clarified that
6 at four minutes into the tape, or I e...even said
7 that I have the shooter. It was nothing more than
8 just stress for me trying to go up, search [REDACTED],
9 look... pat-search [REDACTED], um, you know, assess that [REDACTED]
10 wasn't shot. There was... the area was crowded,
11 people were walking by. Somebody even kicked my
12 round, my spent shell. It just, it wasn't a
13 controlled atmosphere. And that was just nothing
14 more than just stress um, on my part right there.

15 SERGEANT JUAREZ: O...

16 INSPECTOR NEWMAN: But I had the right
17 shooter, and I had the person.

18 SERGEANT JUAREZ: Okay, great. Um, do you
19 recall any stress with perceptual distortion,
20 meaning sight...

21 INSPECTOR NEWMAN: Yeah.

22 SERGEANT JUAREZ: ...Sound...

23 INSPECTOR NEWMAN: Yeah.

24 SERGEANT JUAREZ: ...Go ahead and tell me.

25 INSPECTOR NEWMAN: And this is clearly what it

1 is.

2 SERGEANT JUAREZ: Mm-hmm.

3 INSPECTOR NEWMAN: Um, what it is, is a, a
4 person who may be involved in a um, a shooting
5 situation, which is an abnormal uh, experience for
6 a police officer. That they may experience some
7 sort of difference between time, distance, um,
8 unable to give out directions because they're
9 involved in the shooting. And as far as... it's,
10 it's, it's, your, your body goes through a lot of
11 different um, physical... some people may shut down.
12 Your hearing, your thought process, um, thinking as
13 to what you want to say maybe be different at the
14 time, because you were involved in the shooting.
15 And I think now that I listen to the tape, that's
16 exactly what I went through on that. And I didn't
17 realize that that night until I listened to the
18 tape.

19 SERGEANT JUAREZ: Okay. Okay, now, with that
20 night, um, in Section... in General Order 5.02, it
21 talks about a feasible, um, you can give a warning
22 before you're about to shoot. Do you remember if
23 you gave a warning or not?

24 INSPECTOR NEWMAN: Absolutely. Yes, I did.

25 SERGEANT JUAREZ: Okay. What was the warning?

1 INSPECTOR NEWMAN: My warning was, "Police,
2 drop the gun. Police drop the fucking gun." One of
3 the two, I don't remember exactly what I said.

4 SERGEANT JUAREZ: Did, did you say, "drop the
5 gun or I'll shoot?"

6 INSPECTOR NEWMAN: No.

7 SERGEANT JUAREZ: Okay.

8 INSPECTOR NEWMAN: No.

9 SERGEANT JUAREZ: 'Cause that's the difference
10 between a warning and a command.

11 INSPECTOR NEWMAN: Right.

12 SERGEANT JUAREZ: Okay. So the warning was
13 give the consequences of what you were about to do
14 by giving the command. So do you believe that you
15 just gave commands and not give a warning?

16 INSPECTOR NEWMAN: I, I gave commands.

17 SERGEANT JUAREZ: Okay, great. And then the
18 Section... uh, Department General Order 5.02 also
19 states there's five permissible circumstances when
20 you can go ahead and shoot... uh, go ahead and
21 discharge. One is in necessary defense of yourself,
22 when you have reasonable cause to believe that
23 you're in imminent danger and death, defense of
24 another person, to make an arrest, to kill a
25 dangerous animal, or to give alarm or call for

1 help. Which one of these do you think fell under
2 yours?

3 INSPECTOR NEWMAN: Well, [REDACTED] was a threat to
4 myself, as well as a threat to, um, people in the
5 immediate area, and also what I had just witnessed
6 [REDACTED] do prior, total disregard for uh, people, for
7 human life, in shooting into a large crowd. And I
8 knew I had victims, but to what degree of injuries
9 I was dealing with, I didn't know at that time.
10 Worse case to me, I'm thinking I had maybe multiple
11 homicide scene. Um, I knew that I had to uh, effect
12 the arrest. I knew I had to get out and do my job,
13 and that's what I did.

14 SERGEANT JUAREZ: Okay. Um, I don't have any
15 further questions. Do you have anything?

16 SERGEANT JACKSON: No. I think [REDACTED] answered the
17 questions I had actually.

18 SERGEANT JUAREZ: Okay. Do you have any other
19 things that you need to ask of me or anything?

20 INSPECTOR NEWMAN: No, I don't

21 SERGEANT JUAREZ: Okay. Uh...

22 POA ATTORNEY CHRISTOPHER SHEA: Can I...

23 SERGEANT JUAREZ: Yes.

24 POA ATTORNEY CHRISTOPHER SHEA: ...Just clarify
25 a couple things? Um, your equipment, were you

1 wearing a vest? Do you remember?

2 INSPECTOR NEWMAN: Um, no I wasn't wearing a
3 vest that night.

4 POA ATTORNEY CHRISTOPHER SHEA: Okay. Okay.
5 Um, and with respect... I just wanted to clarify
6 some... look at a couple things on the pictures since
7 we were talkin' about em'. On the picture labeled,
8 "Columbus and, uh Grand," you said you, um, the
9 shooter was where that X is?

10 INSPECTOR NEWMAN: Yes.

11 POA ATTORNEY CHRISTOPHER SHEA: And which
12 direction was [REDACTED] shooting in?

13 INSPECTOR NEWMAN: [REDACTED] back was towards um,
14 Grant Street, and [REDACTED] was, [REDACTED] was facing, with
15 the gun, towards uh, Broadway.

16 POA ATTORNEY CHRISTOPHER SHEA: Okay. So [REDACTED]
17 was shooting in the... if, if, [REDACTED]

18 INSPECTOR NEWMAN: Towards, towards uh,
19 Broadway.

20 POA ATTORNEY CHRISTOPHER SHEA: Okay. So in
21 this photograph, that [REDACTED] fire... direction of
22 fire would have been to the right?

23 INSPECTOR NEWMAN: Absolutely. Yes, [REDACTED] was.

24 POA ATTORNEY CHRISTOPHER SHEA: Okay. Um, and
25 then on the picture labeled, "Grant Avenue," where

1 you were talking about where you... in your previous
2 interview, you said that you were using two cars as
3 cover. In the picture labeled "Grant Avenue," you
4 mentioned that one of the cars is gone. Can you
5 just clarify, for the record, where the other car
6 was?

7 INSPECTOR NEWMAN: It was right here. Um...

8 POA ATTORNEY CHRISTOPHER SHEA: So right
9 behind the white car?

10 INSPECTOR NEWMAN: I can't draw too good.
11 Sorry, but it was parked right, right in that area
12 there.

13 POA ATTORNEY CHRISTOPHER SHEA: I think that
14 the uh, red rectangular box makes it perfectly
15 clear where the car was. Okay, great.

16 INSPECTOR NEWMAN: Yeah. And, and I know those
17 [REDACTED] the, the people... I remember seeing them drive
18 off, and I didn't even think to tell them to stop,
19 it was a crime scene. It was just too much
20 happening.

21 POA ATTORNEY CHRISTOPHER SHEA: And then um,
22 there was a question about a warning versus a
23 command. And you said that you gave the command to
24 drop the gun. Um, did you feel like you had time to
25 give a warning before you fired?

1 INSPECTOR NEWMAN: Um, I don't... I feel that I
2 didn't have a whole lot of time. No, I didn't.

3 POA ATTORNEY CHRISTOPHER SHEA: Okay. Because...
4 and, and that was because the suspect was turning
5 towards you, and you thought that [REDACTED] was still
6 holding the gun as [REDACTED] was doing that?

7 INSPECTOR NEWMAN: Yes.

8 POA ATTORNEY CHRISTOPHER SHEA: Okay. That's
9 all I have.

10 SERGEANT JUAREZ: Okay. That's it then. Um,
11 again with uh, I think you told in the, in the
12 homicide interview that this is um, basically a
13 confidential administrative investigation...

14 [UNINTELLIGIBLE] [OVERLAPPING SPEECH]

15 INSPECTOR NEWMAN: I understand that.

16 SERGEANT JUAREZ: ...So go ahead and I'm... and
17 I'm going to go ahead and tell you not to speak
18 with anybody regarding this...

19 INSPECTOR NEWMAN: I will not.

20 SERGEANT JUAREZ: ...And other than that, uh,
21 we'll go ahead and conclude this uh, interview at
22 1600 hours.

23 INSPECTOR NEWMAN: Okay. Thank you.

24 SERGEANT JUAREZ: Okay.

25 **END OF DOCUMENT**

1 INSPECTOR MACK: All right. Today's date is,
2 uh, July 3rd, 2010. It's approximately 8:10 in the
3 morning. My name Inspector Larry Mack, star 1789.

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 INSPECTOR MACK: ...And also present with us
8 today is Officer...

9 OFFICER LEE: Lee, 1643.

10 INSPECTOR MACK: Okay. This is involving case
11 number 100609942. Uh, [REDACTED]

12 [REDACTED]. And, uh, today we're
13 speaking with... what's your name [REDACTED]

14 [REDACTED]

15 INSPECTOR MACK: Okay. And uh, what's your
16 birthday [REDACTED]?

17 [REDACTED]

18 [REDACTED]

19 INSPECTOR MACK: [REDACTED]

20 [REDACTED]

21 [REDACTED]: [REDACTED].

22 [REDACTED]

23 INSPECTOR MACK: Okay. So I'll ask questions,
24 and the officer here will ask you in [REDACTED]
25 answer in [REDACTED] and he'll relay it to me, okay?

1 All right? Okay. And, um, where do you live?

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 INSPECTOR MACK: Okay. And your phone number?

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 INSPECTOR MACK: Okay. All right. So why don't
14 you tell me what happened tonight?

15 [REDACTED]

16 [REDACTED]

17 [REDACTED] Okay, when I got out of
18 work, uh, I just uh, went to Broadway. And I just
19 hung around there.

20 [REDACTED]

21 [REDACTED] And I was just walking down
22 the street when I saw that there was shooting.

23 INSPECTOR MACK: Okay. Um, what time did you
24 get off work tonight?

25 [REDACTED]

1 [REDACTED]

2 [REDACTED] Uh, approximately 10 PM.

3 INSPECTOR MACK: Ten o'clock? Okay. And where
4 did you go after work?

5 [REDACTED]

6 [REDACTED]

7 [REDACTED] Uh, first I went home, and
8 then I went back out.

9 INSPECTOR MACK: So, you got off at ten
10 o'clock, you went home [REDACTED]?

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] Yes.

14 INSPECTOR MACK: Okay. And what time did you
15 leave [REDACTED] to come back downtown?

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED] Uh, about 11:45 PM.

21 INSPECTOR MACK: Okay. And what time did you
22 get down to Northbeach?

23 [REDACTED]

24 [REDACTED]

25 [REDACTED] Uh, it was just after 12.

1 INSPECTOR MACK: Just after 12? Okay. And,
2 were you by yourself?

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] Yes.

6 INSPECTOR MACK: Okay. And do you live at home
7 by yourself?

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] No.

11 INSPECTOR MACK: Okay. Who do you live at home
12 with?

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 INSPECTOR MACK: [REDACTED] And what
17 are their names?

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED] Mm-hmm.

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 INSPECTOR MACK: Okay. Were they home tonight
5 when you got home?

6 [REDACTED]

7 [REDACTED] No.

8 [REDACTED] No.

9 INSPECTOR MACK: Nobody home huh? Okay. And,
10 uh, did you go alone down to, uh, Columbus and
11 Broadway?

12 [REDACTED]

13 [REDACTED] Yes.

14 INSPECTOR MACK: Okay. And uh, did you meet
15 anybody when you went down there?

16 [REDACTED]

17 [REDACTED] No.

18 INSPECTOR MACK: Okay. So what did you do when
19 you went down to Columbus and Broadway? Where'd you
20 go?

21 [REDACTED]

22 [REDACTED]

23 [REDACTED] I was just walking.

24 INSPECTOR MACK: By yourself?

25 [REDACTED] [REDACTED] [REDACTED]

1 [REDACTED] Yes.

2 INSPECTOR MACK: Okay. Where'd you walk to?

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] I was just walking around
6 the nightclubs.

7 INSPECTOR MACK: Where... who else where you
8 with?

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] Alone.

12 INSPECTOR MACK: Alone? Okay. What nightclubs
13 did you go into?

14 [REDACTED] Huh?

15 [REDACTED]

16 [REDACTED]

17 [REDACTED] I didn't go into any
18 nightclubs.

19 INSPECTOR MACK: Okay. Did you show up
20 anywhere and have a drink?

21 [REDACTED]

22 [REDACTED] [REDACTED]

23 INSPECTOR MACK: Uh, where'd you stop?

24 [REDACTED]

25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED] A liquor store that's on
4 Grant.

5 INSPECTOR MACK: Okay. And uh, did you see
6 anybody while you were walking around, that you
7 recognized or knew?

8 [REDACTED]
9 [REDACTED] No.
10 [REDACTED] No.

11 INSPECTOR MACK: No. Okay. So... you walked
12 around Columbus, Grant... what else did you do?

13 [REDACTED]
14 [REDACTED]
15 [REDACTED] I was just walking back and
16 forth.

17 INSPECTOR MACK: Okay. Did you, uh, [REDACTED]

18 [REDACTED]
19 [REDACTED]
20 [REDACTED] No.
21 [REDACTED] No.

22 INSPECTOR MACK: Did you stop anywhere to get
23 something to eat?

24 [REDACTED]
25 [REDACTED] No.

1 [REDACTED] No.

2 INSPECTOR MACK: Okay. So... you're just walking
3 around?

4 [REDACTED]

5 INSPECTOR MACK: And... as time you got shot,
6 what were you doing?

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] Uh, nothing. I was just
10 going back to Grant.

11 INSPECTOR MACK: Okay. So you're walking up
12 Columbus for Broadway?

13 [REDACTED]

14 [REDACTED]

15 [REDACTED] Okay. So uh, [REDACTED] says that
16 [REDACTED] was just walking back uh, to grab the bus to go
17 back home.

18 INSPECTOR MACK: Okay. What bus were you going
19 to go grab?

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 INSPECTOR MACK: Okay. So you're walking up

1 Columbus for Broadway?

2 [REDACTED]

3 [REDACTED]

4 [REDACTED] Yes.

5 INSPECTOR MACK: And... you got shot?

6 [REDACTED]

7 [REDACTED] Mm-hmm.

8 [REDACTED] Yes.

9 INSPECTOR MACK: Did you see the person that
10 shot you?

11 [REDACTED]

12 [REDACTED]

13 [REDACTED] No, I couldn't take a look
14 at [REDACTED]

15 INSPECTOR MACK: So you didn't see the person
16 who shot you?

17 [REDACTED]

18 [REDACTED]

19 [REDACTED] I was... I, I saw who shot
20 me, but I wasn't able to uh, take a good look at
21 [REDACTED].

22 INSPECTOR MACK: Could you tell me what [REDACTED]
23 looked like?

24 [REDACTED]

25 [REDACTED]

1 [REDACTED] Uh, [REDACTED] was maybe a [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 INSPECTOR MACK: I [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED] Uh, it looked like [REDACTED]
8 [REDACTED].
9 INSPECTOR MACK: Okay.
10 [REDACTED]
11 INSPECTOR MACK: How tall?
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED] [phone ringing] Uh, just a
17 little bit taller than me.
18 INSPECTOR MACK: Okay. How tall are you? [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED] Uh, so maybe just a little

1 bit taller than me. [REDACTED].

2 INSPECTOR MACK: Okay. Big, skinny, fat?

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] Skinny.

6 INSPECTOR MACK: Skinny? Okay. [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] Uh, I just know that [REDACTED] had
11 a red cap... baseball cap.

12 INSPECTOR MACK: [REDACTED] had a red baseball cap.

13 Okay. You couldn't tell what kind of hair [REDACTED] had?

14 [REDACTED]

15 [REDACTED]

16 [REDACTED] No.

17 INSPECTOR MACK: Okay. What kind of jacket or
18 clothes or t-shirt... what kind of clothes?

19 [REDACTED]

20 [REDACTED]

21 [REDACTED] With a white shirt.

22 INSPECTOR MACK: White shirt?

23 [REDACTED] Mm-hmm.

24 INSPECTOR MACK: Okay. And what kind of pants?

25 [REDACTED]

1 [REDACTED]

2 [REDACTED] I don't know.

3 INSPECTOR MACK: Okay. Do you know what kind
4 of gun?

5 [REDACTED]

6 [REDACTED] No.

7 [REDACTED] No.

8 INSPECTOR MACK: Pistol...

9 [REDACTED]

10 INSPECTOR MACK: ...Revolver, semi-auto?

11 [REDACTED]

12 [REDACTED] I don't know.

13 INSPECTOR MACK: You don't know. Okay. Uh, did
14 you recognize this person?

15 [REDACTED]

16 [REDACTED] No.

17 [REDACTED] No.

18 INSPECTOR MACK: Okay. Did you recognize
19 anybody else around?

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED] I just know some of the uh
25 workers that work in the restaurants in the area.

1 INSPECTOR MACK: Could you see anybody?
2 [REDACTED]
3 [REDACTED]
4 [REDACTED] Yes.
5 INSPECTOR MACK: Who'd you see?
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED] I just know uh, some of the
13 workers that work in [REDACTED].
14 INSPECTOR MACK: Okay. And uh, do you know,
15 uh, do you know [REDACTED] the other [REDACTED] that was shot
16 with you, do you know [REDACTED]?
17 [REDACTED]
18 INSPECTOR MACK: You don't know [REDACTED]?
19 [REDACTED]
20 INSPECTOR MACK: You're not, you're not
21 friends with [REDACTED]?
22 [REDACTED]
23 INSPECTOR MACK: Were you with [REDACTED] tonight?
24 [REDACTED]
25 INSPECTOR MACK: You were with [REDACTED] tonight...

1 hangin' out? No?

2 [REDACTED]

3 [REDACTED]

4 [REDACTED] I don't know who [REDACTED] is.

5 INSPECTOR MACK: Okay. Um, okay. So... did you
6 get in an argument or a fight with anyone before
7 you got shot?

8 [REDACTED]

9 [REDACTED] No.

10 [REDACTED] No.

11 INSPECTOR MACK: No? Did [REDACTED] say [REDACTED] had any
12 words with anybody?

13 [REDACTED]

14 [REDACTED] No.

15 INSPECTOR MACK: Uh, with a car going by?

16 [REDACTED]

17 [REDACTED] No.

18 INSPECTOR MACK: You sure?

19 [REDACTED]

20 INSPECTOR MACK: Okay.

21 OLEMAN [REDACTED]

22 INSPECTOR MACK: Okay.

23 [REDACTED] I was just drinking, but I
24 had no argument.

25 INSPECTOR MACK: You were drinking?

1 [REDACTED] Yeah.

2 INSPECTOR MACK: Okay. What were you drinking?

3 [REDACTED] [REDACTED]

4 [REDACTED] Huh?

5 INSPECTOR MACK: What were you drinking?

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED] Red Bull...

11 [REDACTED]

12 [REDACTED] ...Container

13 INSPECTOR MACK: Red Bull?

14 [REDACTED]

15 UNKNOWN PERSON ENTERS: Oh, sorry. Did anyone

16 from registration just come in?

17 [REDACTED] I was drinking uh, Red Bull

18 with uh, Bacardi.

19 INSPECTOR MACK: Oh okay. All right. Uh, so

20 you didn't get into a fight with anybody right?

21 [REDACTED]

22 [REDACTED] No.

23 INSPECTOR MACK: Okay.

24 [REDACTED] No.

25 INSPECTOR MACK: Uh, where you just hanging...

1 were you standing in front before the shooting...
2 just handing out?

3 [REDACTED]

4 [REDACTED]

5 [REDACTED] Uh, no, I was walking.

6 INSPECTOR MACK: You were walking. So, before
7 the shooting, were you hanging out...

8 [REDACTED]

9 INSPECTOR MACK: ...Front?

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED] Yeah. Right before the
15 shooting I was at the corner by the clubs.

16 INSPECTOR MACK: Okay. So we got... we got a lot
17 of videotape.

18 [REDACTED]

19 INSPECTOR MACK: Is there any reason why the
20 videotape's going to show you, before the shooting,
21 in an argument with anybody, fighting with anybody?

22 [REDACTED]

23 [REDACTED]

24 [REDACTED] No, I don't think so.

25 INSPECTOR MACK: You don't think so?

1 [REDACTED]
2 [REDACTED] No.
3 INSPECTOR MACK: Okay. [REDACTED]
[REDACTED]
5 [REDACTED]
6 INSPECTOR MACK: Do you know [unintelligible]
7 [overlapping speech].
8 [REDACTED]
9 [REDACTED] No.
10 INSPECTOR MACK: No? Okay. Was anybody out
11 there a gang member?
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] No, truly I don't know.
15 There were a lot of people.
16 INSPECTOR MACK: Okay. All right. Uh, anything
17 else you want to say, add?
18 [REDACTED]
19 [REDACTED] No.
20 [REDACTED] No.
21 INSPECTOR MACK: No? Okay. Um, all right.
22 This will end the interview. It's uh, 8:25.
23 END OF DOCUMENT

1 INSPECTOR MACK: All right uh, today's date is
2 July 3rd, uh, 2010. And it's approximately...

3 INSPECTOR MACK: Ten-to-four in the morning.
4 My name is Inspector Larry Mack, star 1789. I'm
5 with uh, I'm with Inspector...

6 INSPECTOR CUNNINGHAM: Daniel Cunningham, star
7 650.

8 INSPECTOR MACK: And uh, this is involving
9 case number 100609942. I'm at, uh, Grant and
10 Columbus, and I'm speaking with... [REDACTED] what's your
11 name?

12 [REDACTED]

13 INSPECTOR MACK: [REDACTED] what's your last name,
14 [REDACTED]

15 [REDACTED]

16 INSPECTOR MACK: Can you spell that for me
17 please?

18 [REDACTED]

19 [REDACTED]

20 INSPECTOR MACK: Okay. And uh, what's your
21 birthday, [REDACTED]?

22 [REDACTED]

23 INSPECTOR MACK: Okay. And uh, where do you
24 live?

25 [REDACTED]

1 INSPECTOR MACK: You have an address?

2 [REDACTED]

3 INSPECTOR MACK: Okay. Is there an apartment
4 number or anything like that?

5 [REDACTED]

6 INSPECTOR MACK: [REDACTED] And your cell phone
7 number, contact number?

8 [REDACTED] Yeah.

9 INSPECTOR MACK: What is that please?

10 [REDACTED] ...

11 INSPECTOR MACK: Okay.

12 [REDACTED] . [REDACTED]

13 INSPECTOR MACK: Okay.

14 [REDACTED]

15 INSPECTOR MACK: Okay. Um, the reason we are
16 talking to you tonight... there was a shooting, uh,
17 out here on Columbus Street. And uh, can you tell
18 me what you were doing at the time of that
19 shooting?

20 [REDACTED] I was sleeping.

21 INSPECTOR MACK: Okay. And where were you
22 sleeping?

23 [REDACTED] In the car.

24 INSPECTOR MACK: Okay. And who's car?

25 [REDACTED] A friends of mines.

1 [REDACTED]
2 [REDACTED] And I don't know. And I just
3 seen everybody just scatterin'.

4 INSPECTOR MACK: Okay. All right. And uh,
5 where you... you were down here tonight... uh,
6 nightclubbing, or what were you doing down here?

7 [REDACTED] Well, we came to pick
8 somebody up.

9 INSPECTOR MACK: You came to pick somebody up?
10 Okay. And where were you earlier tonight, and...

11 [REDACTED] At my house.

12 INSPECTOR MACK: At your house, [REDACTED]

13 [REDACTED] Yeah.

14 INSPECTOR MACK: Okay. All right. Um, have you
15 had some alcoholic beverages tonight?

16 [REDACTED] Yeah, before I came out
17 here. That's why I was so tired.

18 INSPECTOR MACK: Okay. All right. And who was
19 in the car with you?

20 [REDACTED] Um, me [REDACTED].

21 INSPECTOR MACK: Anybody else?

22 [REDACTED] No.

23 INSPECTOR MACK: That's it?

24 [REDACTED] That's it.

25 INSPECTOR MACK: Just the two of you? Okay.

1 All right. Um, okay you didn't see any... anybody
2 with a gun?

3 [REDACTED] No.

4 INSPECTOR MACK: Fights going on... that woke
5 you up before the...

6 [REDACTED] No.

7 INSPECTOR MACK: Okay. How long were you
8 parked there at the [unintelligible]...

9 [REDACTED] Uh, we got here about... in
10 between 1:00 to 2:00.

11 INSPECTOR MACK: Between 1:00 and 2:00?

12 [REDACTED] Yeah. The, the...

13 INSPECTOR MACK: And so you just hung out in
14 the car?

15 [REDACTED] Yeah.

16 INSPECTOR MACK: Who were you picking up?

17 [REDACTED] A friend of mines that
18 was over here, I guess. I think [REDACTED] works there or
19 something.

20 INSPECTOR MACK: And what's [REDACTED] name?

21 [REDACTED] I, I don't know... [REDACTED]

22 [REDACTED] or something like that.

23 INSPECTOR MACK: [REDACTED] Where does [REDACTED] work, in
24 one of the nightclubs?

25 [REDACTED] Yeah.

1 INSPECTOR MACK: Do you know what nightclub
2 [REDACTED] works at?

3 Not for sure, no.

4 INSPECTOR MACK: Okay.

5 [REDACTED] We just came up, seen a
6 parking spot in the front... we just parked right
7 there.

8 INSPECTOR MACK: Okay. And uh, what, what time
9 was that you think? What time did you leave your
10 house?

11 [REDACTED] Uh, this was about... I
12 don't really remember, but I know we got here
13 sometime between 1:00 to 2:00 [REDACTED]

15 INSPECTOR MACK: Okay. 1:00 to 2:00? Okay. And
16 the shooting was after then right?

17 | Yeah.

18 INSPECTOR MACK: Okay. All right. You see
19 anything else?

20 [REDACTED] No.

21 INSPECTOR MACK: Any anybody telling you
22 anything about what they saw?

23 No.

24 INSPECTOR MACK: And who woke you up?

25

1 INSPECTOR MACK: [REDACTED]

2 [REDACTED] Yeah.

3 INSPECTOR MACK: Okay. All right. Uh, that'll
4 end the interview. It is now... five minutes to four
5 in the morning. All right then. Thank you, [REDACTED]

6 [REDACTED] You're welcome.

7 END OF DOCUMENT

Memorandum

San Francisco Police Department



To: George Gascón
Chief of Police

From: Assistant Chief Kevin Cashman
Administrative Services

Date: Friday, July 09, 2010

Subject: Return to Duty Panel Discussion in relation to OIS 10-005

APPROVED	YES	NO
<i>[Signature]</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>[Signature]</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>[Signature]</i>	<input type="checkbox"/>	<input type="checkbox"/>

On July 9, 2010 at 13:00 hours, pursuant to Department General Order 8.11, a panel to review OIS 10-005 (SFPD case #100609942) was convened. The incident occurred on July 3, 2010 and the member involved in the discharge was Inspector John Newman #1481 assigned to a plainclothes detail at the Criminal Investigations Unit.

The members involved in this incident were debriefed by the Behavioral Science Unit on July 3, 2010.

The purpose of this panel's review was to determine if it is appropriate to return this member to his regular duty assignment.

The panel considered all of the preliminary criminal investigation information provided by the Homicide Detail. The Management Control Division recommended that Inspector Newman participate in the standard training following all Officer-Involved Shootings. This training will include the following: post-discharge firearm debrief at the Police Range and a modified Force Options simulations training course at the Academy.

The panel unanimously recommended that Inspector Newman be returned to his regular duty assignment without restriction effective after concurrence of the Chief of Police and review by the Police Commission in closed session on July 14, 2010.

Members comprising the panel were as follows:

Assistant Chief Kevin Cashman (Chair) – Administrative Services
Assistant Chief Jeffrey Godown – Operations Bureau
Commander John Loftus – Investigations Bureau
Captain Michael Biel – Investigations Bureau
Lieutenant Robert Moser – Management Control Division
Lieutenant Michael Stasko - Homicide Detail
Sergeant Mary Dunnigan - Behavioral Science Unit

SFPD-68 (03/89)



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, JULY 14, 2010
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

DR. JOE MARSHALL
President
THOMAS MAZZUCCO
Vice President
PETRA DEJESUS
Commissioner
ANGELA CHAN
Commissioner
JAMES HAMMER
Commissioner

Lieutenant Joseph Reilly
Secretary

Roll Call; Pledge of Allegiance

1. Public Comment

(Members of the public may address the Police Commission for a time period determined by the Chair on items that are within the subject matter jurisdiction of the Commission but do not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Under the Police Commission Rules of Order, during the Public Comment, Commissioners are not to enter into debate or discussion with speakers.)

2. Reports to the Commission (DISCUSSION ONLY)

a. Chief's Report

- Review of recent activities
- Status report regarding development of Brady Policy
- Report on SFPD's processing of Civil Immigration Warrants

b. OCC Director's Report

- Review of recent activities

c. Commission Reports

- Commission President's Report
- Commissioners' Reports

3. Presentation of the Department's Bi-monthly Report regarding the Audit of the Secure Communities Program under Commission Resolution 73-10, adopted 6/23/10 (DISCUSSION ONLY)

4. Discussion and possible action to issue Police Commission subpoenas in the matter of Case Nos. C09-128 & C10-046 for hearings scheduled to begin on August 23, 2010 (ACTION ITEM)

5. Routine Administrative Business (DISCUSSION ONLY)

- a. Commissioner Announcements
- b. Scheduling of items identified for consideration at future Commission Meetings

6. Public Comment on all matters pertaining to Closed Session

7. Vote on whether to hold Closed Session. (San Francisco Administrative Code Section 67.10) (ACTION ITEM)



The Police Commission

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REGULAR MEETING
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Vice President
PETRA DEJESUS
Commissioner
ANGELA CHAN
Commissioner
JAMES HAMMER
Commissioner

Lieutenant Joseph Reilly
Secretary

8. Closed Session

- a. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code 832.7:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police
Review of findings and decision to return officer to duty following an officer-involved shooting (OIS Case No. 10-005) (DISCUSSION ONLY)
- b. Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: (ACTION ITEM)
PERSONNEL EXCEPTION: Discussion and possible action to adopt Findings of Fact supporting the Commission's Decision given March 17, 2010 in Case Nos. KMO D08-013 & JWF C08-014
- c. Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: (ACTION ITEM)
PERSONNEL EXCEPTION: Status and calendaring of the following pending disciplinary cases: (DISCUSSION ONLY)
- File No. ALW C08-181
 - File No. JCT C05-190
 - File No. JWA C09-191
 - File No. KMO D07-070 (Appeal of the Chief's Suspension)
 - File No. JCT D06-180 (Appeal of the Chief's Suspension)
 - File No. JCT D06-173 (Appeal of the Chief's Suspension)
 - File No. JWA C09-220 & ALW C10-094
 - File No. KMO C09-157
- d. Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: (ACTION ITEM)
PERSONNEL EXCEPTION: Discussion and possible action to decide disciplinary charges filed in Case No. ALW C09-190
(The Commission will allow each party an optional five (5) minutes for oral closing argument)



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

SAN FRANCISCO POLICE COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY, JULY 14, 2010
5:30 p.m.

CITY HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

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Commissioner
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Commissioner
JAMES HAMMER
Commissioner

8. e. Pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7: (ACTION ITEM)
PERSONNEL EXCEPTION: Discussion and possible action to grant or deny an appeal of disciplinary action imposed by the Chief of Police in Case No. ALW D08-165
(The Commission will allow each party an optional five (5) minutes for oral closing argument)

(OPEN SESSION)

Roll Call.

9. Vote to elect whether to disclose any or all discussion held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION ITEM)
10. Adjournment (ACTION ITEM)

SUPPORTING DOCUMENTATION FOR POLICE COMMISSION AGENDA ITEMS THAT ARE NOT CONFIDENTIAL AND DOCUMENTATION THAT HAVE BEEN DISTRIBUTED TO THE COMMISSION AFTER DISTRIBUTION OF THE AGENDA PACKETS ARE AVAILABLE FOR REVIEW AT THE POLICE COMMISSION OFFICE, THOMAS J. CAHILL HALL OF JUSTICE, 850 BRYANT STREET, ROOM 505, SAN FRANCISCO, CA

1 [REDACTED] Yes.

2 INSPECTOR PIERUCCI: All right...all right so hum

3 [REDACTED]

4 [REDACTED] Ha.

5 INSPECTOR PIERUCCI: Here's what I want you to
6 tell me okay. Tonight you were where?

7 [REDACTED] I was... [REDACTED] at Little
8 Darlings.

9 INSPECTOR PIERUCCI: You were [REDACTED] at
10 Little Darlings okay. All right and...

11 [REDACTED] You want me to just say what
12 happened?

13 INSPECTOR PIERUCCI: Tell me what happened
14 yeah.

15 [REDACTED] Okay me and my [REDACTED]
16 we were standing there watching this...this...this
17 crowd of [REDACTED]

18 INSPECTOR PIERUCCI: How do you know that?

19 [REDACTED] [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED] Um it died out everybody seemed cool

1 and then another group of [REDACTED] I think there
2 was like three of them showed up...three or four of
3 them showed up and one of the [REDACTED] got pushed into
4 the sign...pushed into the Little Darlings sign which
5 is on our camera. [REDACTED] got pushed into the sign then
6 [REDACTED] walked or [REDACTED] backed away and [REDACTED] walked. [REDACTED]
7 liked backed away like I'm going to pull it I'm
8 going to pull it and when [REDACTED] got to the other side
9 I saw [REDACTED] reach...reach for [REDACTED]...reach for [REDACTED] belt
10 lift up [REDACTED] shirt and a handle came out. At the
11 same time that happened [REDACTED] pushed me
12 back out of the way and then the shots fired and ah
13 [REDACTED] on that
14 with the...when the cops [REDACTED]. That
15 [REDACTED] pulled the gun.

16 INSPECTOR PIERUCCI: Okay let's hold on a
17 second okay I know you want to get out of here and
18 thank you [REDACTED] for coming in here. You're doing a
19 great job...you're doing a great job...do.

20 [REDACTED] [Unintelligible] do this. I'm not
21 worried about that. [REDACTED]

22 [REDACTED] Like I've been sitting
23 here all night.

24 INSPECTOR PIERUCCI: We'll get you out of here
25 as quickly as possible.

1 [REDACTED] [Unintelligible].

2 INSPECTOR PIERUCCI: You want some water?

3 [REDACTED] Please.

4 INSPECTOR PIERUCCI: Get you a cup of water.

5 [REDACTED] Why can't I just smoke? Oh I just
6 want a cigarette.

7 INSPECTOR PIERUCCI: A cigarette.

8 [REDACTED] Please.

9 INSPECTOR PIERUCCI: Okay um let's see if we
10 can get done with you as quickly as possible.

11 [REDACTED] [Oh God].

12 INSPECTOR PIPERUCCI: Get you to ah get you
13 to go smoke a cigarette.

14 [REDACTED] What the hell.

15 INSPECTOR PIERUCCI: Here you go.

16 [REDACTED] Thank you very much. Oh Raider cup.

17 INSPECTOR PIERUCCI: [LAUGHS].

18 INSPECTOR ENGLER: Let's get my friend in
19 here.

20 [REDACTED] Oh God. I'm just going to go to
21 sleep.

22 INSPECTOR PIERUCCI: Rest your eyes for a
23 little while if you want.

24 [REDACTED] How about this I'm just going to
25 light this I'll let you [REDACTED]

1 INSPECTOR PIERUCCI: You're going to set off
2 the ah.

3 [REDACTED] Oh I know that [unintelligible].

4 INSPECTOR PIERUCCI: Okay.

5 [REDACTED] Holy cow.

6 INSPECTOR ENGLER: All right let's get this
7 interview going.

8 INSPECTOR PIERUCCI: All right hum...hum.

9 INSPECTOR ENGLER: All right this is Joe
10 Engler Star 229. Inspector John Rico Pierucci.

11 INSPECTOR PIERUCCI: 1604.

12 INSPECTOR ENGLER: Okay also with us DA
13 Investigator.

14 INVESTIGATOR POSADA: Jim Posada [704].

15 INSPECTOR ENGLER: Okay this is in regards to
16 Case Number 100 609 942. Today's date is July 3rd,
17 2010. The time is now 5:25 in the a.m. We're at
18 [REDACTED] response unit interview room [REDACTED]
19 what's your name?

20 [REDACTED] [REDACTED]

21 INSPECTOR ENGLER: [REDACTED] [REDACTED]

22 [REDACTED] [REDACTED]

23 INSPECTOR PIERUCCI: [REDACTED]

24 [REDACTED] [REDACTED]

25 INSPECTOR ENGLER: [REDACTED]

1 [REDACTED] what is your date of birth?

2 [REDACTED] [REDACTED]

3 INSPECTOR ENGLER: Okay and [REDACTED] [REDACTED] what is
4 your cell phone number?

5 [REDACTED] [LAUGHS] I'm not really...I just got
6 it.

7 INSPECTOR PIERUCCI: That's all right.

8 [REDACTED] It is [REDACTED]

9 INSPECTOR ENGLER: And where do you live [REDACTED]

10 [REDACTED]

11 [REDACTED] I live in [REDACTED]

12 INSPECTOR PIERUCCI: [REDACTED]

13 [REDACTED] Yes.

14 INSPECTOR PIERUCCI: Okay.

15 INSPECTOR ENGLER: What's your address there?

16 [REDACTED] [REDACTED]

17 [REDACTED]

18 INSPECTOR ENGLER: [REDACTED]

19 [REDACTED] [REDACTED].

20 INSPECTOR ENGLER: [REDACTED]

21 [REDACTED] [REDACTED]

22 INSPECTOR ENGLER: [REDACTED]

23 [REDACTED] [REDACTED]

24 INSPECTOR ENGLER: [REDACTED]

25 [REDACTED] [REDACTED]

1 INSPECTOR ENGLER: [REDACTED].

2 [REDACTED] I'm sorry I'm half asleep so.

3 INSPECTOR ENGLER: [REDACTED]

4 [REDACTED] [REDACTED]

5 INSPECTOR ENGLER: [REDACTED]

6 [REDACTED] [REDACTED]

7 INSPECTOR ENGLER: Okay [REDACTED]

8 this...earlier this morning ah some time just before
9 2:00...2:00 a.m. after 1:00 before 2:00 you were in
10 the Columbus Broadway area in North Beach is that
11 correct?

12 [REDACTED] Yes.

13 INSPECTOR ENGLER: [REDACTED]

14 [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED]

17 INSPECTOR ENGLER: [REDACTED]

18 [REDACTED]

19 [REDACTED] It's a gentlemen's club.

20 INSPECTOR ENGLER: It's a gentlemen's club
21 and where's that located?

22 [REDACTED] It's [REDACTED] Columbus

23 [unintelligible].

24 INSPECTOR ENGLER: [Unintelligible] whatever
25 [REDACTED] Columbus.

1 [REDACTED] Yes.

2 INSPECTOR ENGLER: Okay and was there an
3 incident that occurred tonight ah where there was a
4 fight and it escalated from there tonight at the
5 club.

6 [REDACTED] Yes.

7 INSPECTOR ENGLER: Okay why don't you go
8 ahead and just give us a narration in your own
9 words when trouble first began and whatever you
10 have knowledge of and whatever you observed. So
11 why don't you start with what you observed and ah
12 when you first realized it was going to be a
13 problem.

14 [REDACTED] When I...okay I was sitting outside
15 Little Darlings me [REDACTED] and ah I
16 saw two different well I saw a bunch of [REDACTED]
17 coming together which I thought they were all
18 friends but it turned quickly they were not.

19 INSPECTOR ENGLER: What do you mean by

20 [REDACTED]

21 [REDACTED] Ah it's a gang [REDACTED] I don't
22 know how to describe it any other way.

23 INSPECTOR ENGLER: How...how do you know...what
24 made you think they were [REDACTED]?

25 [REDACTED] All the red plus I know a few of

1 'em.

2 INSPECTOR ENGLER: So you know a few of them
3 from seeing em before?

4 [REDACTED] Yes they frequent the ah
5 [unintelligible] area.

6 INSPECTOR ENGLER: Okay about what time do
7 you...did you see this?

8 [REDACTED] I don't...it was after 1:00.

9 INSPECTOR ENGLER: After 1:00 in the morning.

10 [REDACTED] Yes.

11 INSPECTOR ENGLER: Okay.

12 [REDACTED] And ah it escalating to a small
13 little scuffle that had broke up and then they
14 started and then everything like that happened and
15 another time.

16 INSPECTOR ENGLER: I didn't...I didn't follow
17 that.

18 [REDACTED] I don't really know what happened
19 with them. It escalated and it stopped.

20 INSPECTOR ENGLER: What do you mean by
21 escalated?

22 [REDACTED] I mean it started...they were talking
23 fresh to each other.

24 INSPECTOR ENGLER: Was it all verbal?

25 [REDACTED] Yeah.

1 INSPECTOR ENGLER: What kind of things were
2 being said?

3 [REDACTED] I...I couldn't make it out but.

4 INSPECTOR ENGLER: Was there profanity being
5 used?

6 [REDACTED] Oh yeah of course.

7 INSPECTOR ENGLER: Was there any gang stuff
8 being thrown around?

9 [REDACTED] Yes like the streets I don't know
10 where they're from I don't know what gangs they're
11 from. I [REDACTED]

12 [REDACTED] they started becoming cool and
13 then.

14 INSPECTOR ENGLER: What do you mean by that?

15 [REDACTED] Like they started laughing and
16 they're...they walked away. After that another I
17 don't know three or four of em walked up. I don't
18 know where they're from they started fighting with
19 them and then one of em backed in to [REDACTED] sign at
20 the Little Darlings and after [REDACTED] backed into the
21 sign [REDACTED] picks [REDACTED] and [REDACTED] starts backing up
22 further and further that's the [REDACTED] I saw reach in
23 [REDACTED] shirt and when [REDACTED] starting pulling out my door
24 [REDACTED] pushed me behind the wall and [REDACTED] took cover too
25 and then the shots went fired. I don't know.

1 INSPECTOR ENGLER: Did you see a gun come
2 out?

3 [REDACTED] Yes I saw the gun come out. But I
4 did not see [REDACTED] point and shoot.

5 INSPECTOR ENGLER: So you're reaching down
6 towards your waistband. Is that in the area that
7 you saw [REDACTED] take the gun from?

8 [REDACTED] Yes.

9 INSPECTOR ENGLER: [REDACTED] own waistband.

10 [REDACTED] Yes.

11 INSPECTOR ENGLER: Okay was it under a shirt
12 or under a jacket or.

13 [REDACTED] It was under a sweatshirt.

14 INSPECTOR ENGLER: Um oh okay. Could you
15 describe this person?

16 [REDACTED] Yeah [REDACTED] was wearing um I believe [REDACTED]
17 was wearing all black. I thought [REDACTED] was a little
18 taller but on the hill I couldn't make out...I.

19 INSPECTOR ENGLER: Okay so when you're
20 referring to on the hill earlier ah after the
21 incident that you just described and obviously
22 before coming here this morning ah some...some police
23 officers took you in the backseat of a black and
24 white police car to a location is that correct?

25 [REDACTED] Yes.

1 INSPECTOR ENGLER: And that location's on top
2 of the hill um Romolo alley.

3 [REDACTED] Yes.

4 INSPECTOR ENGLER: Okay at that time they
5 read an admonishment to you.

6 [REDACTED] Yes...yes.

7 INSPECTOR ENGLER: Regarding ah essentially
8 to make sure that you're...you're opinion of the
9 person that you're viewing isn't ah not predisposed
10 to judging [REDACTED] in any way. You had an open mind is
11 that correct?

12 [REDACTED] Yes.

13 INSPECTOR ENGLER: Okay when you took a look
14 at that person was that one of the people that you
15 saw in the crowd in front of Little Darlings
16 involved in this fight that led up to a shooting.

17 [REDACTED] Yes.

18 INSPECTOR ENGLER: Which person there were
19 two there that you viewed separately is that
20 correct.

21 [REDACTED] The one...the one in the white I don't
22 remember. The one in the white I don't remember.

23 The other [REDACTED]

24 INSPECTOR ENGLER: And if I remember
25 correctly the one in the white was the shorter of

1 the two?

2 [REDACTED] Yes [REDACTED] had the hat on. The other [REDACTED]
3 was a burly [REDACTED] kind of taller. [REDACTED] wasn't...I don't
4 know how tall [REDACTED] was because [REDACTED]
5 [REDACTED] but this [REDACTED] was a [REDACTED] had
6 a big...big sweatshirt on. That's what made me
7 cautious about [REDACTED] at first.

8 INSPECTOR ENGLER: What color was [REDACTED]
9 sweatshirt?

10 [REDACTED] Black.

11 INSPECTOR ENGLER: Okay what else do you
12 remember about [REDACTED]?

13 [REDACTED] [REDACTED] hair was pulled back and [REDACTED] was
14 the one talking trash.

15 INSPECTOR ENGLER: Is that the person...the
16 person you viewed on the hill the same person in
17 front of Little Darlings that you described as
18 talking trash.

19 [REDACTED] Yes.

20 INSPECTOR ENGLER: Okay was [REDACTED] involved in
21 this fight that led up to the shooting?

22 [REDACTED] Yes.

23 INSPECTOR ENGLER: Was [REDACTED] on the side of the
24 victim's or was [REDACTED] on the side of the person that
25 actually shot the gun?

1 [REDACTED] The person ah that shot the gun.

2 INSPECTOR ENGLER: So you describe [REDACTED] as a
3 friend or acquaintance or associate of the [REDACTED] who
4 shot the gun?

5 [REDACTED] I don't associate.

6 INSPECTOR ENGLER: [REDACTED] was with [REDACTED].

7 [REDACTED] [REDACTED] was with [REDACTED] yeah.

8 INSPECTOR ENGLER: Okay from...from the time
9 that you were pulled back you saw the gun and you
10 went back into the doorway of Little Darlings is
11 that correct?

12 [REDACTED] Yes.

13 INSPECTOR ENGLER: Okay.

14 [REDACTED] I don't know who pulled the trigger
15 though.

16 INSPECTOR ENGLER: Okay.

17 [REDACTED] I don't know if [REDACTED] gave it to
18 somebody else to pull the trigger. I don't know
19 what happened.

20 INSPECTOR ENGLER: And.

21 [REDACTED] I.

22 INSPECTOR ENGLER: The person you're
23 describing is [REDACTED] is the [REDACTED] who was wearing..had the
24 red colored ah.

25 [REDACTED] The [REDACTED] that was wearing black had

1 pulled out the gun.

2 INSPECTOR ENGLER: The [REDACTED] in the black.

3 [REDACTED] Yes and the [REDACTED] I didn't see the

4 [REDACTED] I didn't remember [REDACTED] at
5 all.

6 INSPECTOR ENGLER: Ah ha.

7 [REDACTED] I...[REDACTED] there was another [REDACTED] there I
8 mean [REDACTED] was taller but I don't remember [REDACTED] to I
9 got pushed into the wall real fast.

10 INSPECTOR ENGLER: Okay so the [REDACTED] you saw in
11 the alley Romolo alley.

12 [REDACTED] Yes.

13 INSPECTOR ENGLER: That [REDACTED] in the black
14 sweatshirt was the [REDACTED] that you saw reach under.

15 [REDACTED] Yes.

16 INSPECTOR ENGLER: [REDACTED] sweatshirt.

17 [REDACTED] Yes.

18 INSPECTOR ENGLER: And pull out a gun.

19 [REDACTED] Yes.

20 INSPECTOR ENGLER: Okay you never saw the
21 shots fired.

22 [REDACTED] No.

23 INSPECTOR ENGLER: About how much time from
24 the time you ducked into the doorway and you
25 hearing the shots if you can estimate seconds

1 minutes.

2 [REDACTED] Seconds...I kept on seeing [it] hit
3 the tree stump.

4 INSPECTOR ENGLER: When you say seeing [REDACTED]
5 hit the tree stump are you talking about the...the.

6 [REDACTED] Bullets.

7 INSPECTOR ENGLER: Bullets.

8 [REDACTED] The rounds...the rounds.

9 INSPECTOR ENGLER: Okay how many shots did
10 you hear?

11 [REDACTED] I heard at least eight or nine and
12 then I turned around and tried to protect all the
13 people in the club you know keep 'em inside you
14 know so they don't panic. I don't know what else
15 happened around the corner or anything.

16 INSPECTOR ENGLER: Okay.

17 [REDACTED] [Unintelligible] sucks.

18 INSPECTOR ENGLER: Yes terrible um.

19 [REDACTED] I witnessed one [REDACTED] down by the...by
20 the...by the edge were the camera stops by the edge
21 of the door by the...by the entrance of the club that
22 [REDACTED] was bleeding and [REDACTED] was down. I don't know.

23 INSPECTOR ENGLER: This [REDACTED] that you saw that
24 was down and bleeding was this one of the [REDACTED] that
25 had words with these.

1 [REDACTED] Yes.

2 INSPECTOR ENGLER: [REDACTED] earlier.

3 [REDACTED] Yes.

4 INSPECTOR ENGLER: It was.

5 [REDACTED] Yes it was a strictly turf I don't
6 know what it was a turf gang thing.

7 INSPECTOR ENGLER: Ah ha.

8 [REDACTED] And it involved civilians and it
9 sucks.

10 INSPECTOR ENGLER: Did you...did you...did anyone
11 subsequent to this happening did anyone tell you
12 anything about what happened?

13 [REDACTED] Oh no.

14 INSPECTOR ENGLER: Did anyone say hey I saw
15 the whole thing?

16 [REDACTED] No.

17 INSPECTOR ENGLER: Okay did um...have you
18 talked to...have you been interviewed...have you talked
19 to anyone else?

20 [REDACTED] Um.

21 INSPECTOR ENGLER: About what...what you saw.

22 [REDACTED] No.

23 INSPECTOR ENGLER: Is this [unintelligible].

24 [REDACTED] [Unintelligible] the officer...the
25 officer that asked me if I saw anything I told him

1 I saw it. I told him I saw the shooter and he said
2 okay well hold on and he asked me he called a
3 detective or an inspector.

4 INSPECTOR ENGLER: And that's us so up until
5 then you've just been waiting to talk to us.

6 [REDACTED] Yes.

7 INSPECTOR ENGLER: Okay the other witnesses
8 in the front room did you share any of this when
9 you've been waiting to talk with us.

10 [REDACTED] I've been waiting to talk to you

11 [REDACTED]

12 INSPECTOR ENGLER: Okay all right um
13 Inspector Pierucci.

14 INSPECTOR PIERUCCI: Yeah um earlier when you
15 were talking about all this stuff and if you could
16 just clarify a couple things for me right. You're
17 standing outside with [REDACTED]. Is [REDACTED] here tonight?

18 [REDACTED] No.

19 INSPECTOR PIERUCCI: [REDACTED] took off. Did [REDACTED]
20 see the whole...the whole thing as well? Do you know
21 if [REDACTED] was with you then?

22 [REDACTED] I can't [REDACTED] was...[REDACTED] I don't know if
23 [REDACTED] pushed. [REDACTED] pushed me back in the club and then [REDACTED]
24 ducked into the wall too I don't know.

25 INSPECTOR PIERUCCI: Okay.

1 [REDACTED] We all dodged for cover I guess.

2 INSPECTOR PIERUCCI: But you were outside of
3 the club okay and explain to me again what you saw
4 but really slow now okay. How many people did you
5 see fighting?

6 [REDACTED] I...there was shit load.

7 INSPECTOR PIERUCCI: A shit load.

8 [REDACTED] I can't...I couldn't count em all.

9 There was...there was only two pursuers like three or
10 four pursuers in the actual bunch that were going
11 after em but they were all chasing the four [REDACTED]
12 that were backing up or three [REDACTED]

13 INSPECTOR PIERUCCI: Okay so these three or
14 four [REDACTED] that were backing up did either of these
15 three or four [REDACTED]...did any of them get shot?

16 [REDACTED] No [unintelligible] they were
17 shooting.

18 INSPECTOR PIERUCCI: They were the ones that
19 were shooting.

20 [REDACTED] Yeah they were trying to defend
21 themselves from getting jumped.

22 INSPECTOR PIERUCCI: How do you know this?

23 [REDACTED] Well because the [REDACTED] were chasing
24 like kind of backing 'em up and curling their fists
25 and threatening to beat 'em you know that's when

1 the [REDACTED] ran into my sign..picked [REDACTED] up and ran
2 back and then [REDACTED] turned you know then [REDACTED] started
3 shooting.

4 INSPECTOR PIERUCCI: Started..now you were
5 saying something about there's a video..it's in your
6 video it's...

7 [REDACTED] I know it shows [REDACTED] hit the sign but
8 I don't know what else.

9 INSPECTOR PIERUCCI: Who is the [REDACTED] that hits
10 the sign? Is that the [REDACTED] that later pulls out the
11 gun?

12 [REDACTED] I believe so. I'm not 100% on that
13 but I believe so.

14 INSPECTOR PIERUCCI: Okay.

15 [REDACTED] It happened so fricken' fast though.

16 INSPECTOR PIERUCCI: Okay all right but this
17 [REDACTED] that pulls out the gun how many [REDACTED] are with
18 [REDACTED]?

19 [REDACTED] I didn't see [REDACTED] [unintelligible].

20 INSPECTOR PIERUCCI: You said [REDACTED]
21 [unintelligible] [REDACTED].

22 [REDACTED] I saw previous when [REDACTED] pulled out
23 the gun but I didn't see anyone around [REDACTED].

24 INSPECTOR PIERUCCI: Nobody around [REDACTED].

25 [REDACTED] No.

1 INSPECTOR PIERUCCI: And this is the [REDACTED] that
2 you saw over on Rumalow?

3 [REDACTED] Yes.

4 INSPECTOR PIERUCCI: When you were driven by
5 the police officers.

6 [REDACTED] Yes.

7 INSPECTOR PIERUCCI: And then yeah. Same [REDACTED]

8 [REDACTED] Same [REDACTED]

9 INSPECTOR PIERUCCI: Okay what...after the
10 shooting you were inside?

11 [REDACTED] Ah ha.

12 INSPECTOR PIERUCCI: Did you see anything else?
13 Did you ever look back at...

14 [REDACTED] I saw the [REDACTED] the vic...one of the
15 victim's laying crouched down on the floor right by
16 the entrance of our club.

17 INSPECTOR PIERUCCI: Okay is there anything
18 else that you saw?

19 [REDACTED] No.

20 INSPECTOR ENGLER: Did you see any police
21 officers?

22 [REDACTED] I didn't see [unintelligible] I was
23 inside you know making sure nobody came out.

24 INSPECTOR ENGLER: Okay all right.

25 INSPECTOR POSADA: The only question I have

1 for you is...if this was happening when you saw the
2 [REDACTED] pull the gun how did you feel at that point.

3 [REDACTED] Oh shit get out of the way like [REDACTED]
4 was going to shoot [REDACTED] don't care.

5 INSPECTOR ENGLER: I don't have any further
6 questions but what we may need to do with you
7 because you're one of the first interviews we made
8 need to follow up with you with a couple of
9 questions something else may occur to you.

10 [REDACTED] Yeah.

11 INSPECTOR ENGLER: Ah what...what we're going
12 to tell you right now is it's probably best not
13 to...not to talk with...with people ah because...because
14 you're a witness and...and I don't want your judgment
15 compromised.

16 [REDACTED] Being compromised [I know].

17 INSPECTOR ENGLER: So just keep that in mind
18 when you talk to people and just say you know I'd
19 rather not talk about it and we're available to you
20 make sure you have our number okay.

21 [REDACTED] Um the only problem I have right now
22 is I was waiting in the club with all the officers
23 I have a hotel room that and I [got to go] that's.

24 INSPECTOR ENGLER: We're going to...we're going
25 to get you a ride out of here right now.

1 [REDACTED] Well oh I know but the hotel room
2 I've got to exit out pretty soon.

3 INSPECTOR ENGLER: Okay this is the end of
4 the interview right now. Let's...let's.

5 [REDACTED] Do you think you could get me a new
6 one?

7 INSPECTOR ENGLER: The interview is concluded
8 the time now is ah 5:37 in the a.m. Turn off the
9 tape.

10 INSPECTOR PIERUCCI: Okay 5:37.

11 END OF DOCUMENT

1 INSPECTOR ENGLER: Ha all right. Do you want
2 to take off your jacket?

3 INSPECTOR: Doing okay everything's good.

4 INSPECTOR ENGLER: All right hum all right...I
5 don't know if you're aware of went on tonight. I
6 think you have a pretty good idea.

7 [REDACTED] Yeah.

8 INSPECTOR ENGLER: Okay gimme just a sec.

9 INSPECTOR: It's 10:22 ha. You all right?
10 You want a glass of water?

11 [REDACTED] Um I'm dizzy that's it.

12 INSPECTOR: Probably dehydrated.

13 [REDACTED] [Unintelligible] from last
14 night.

15 INSPECTOR: You want something to eat?

16 [REDACTED] I need a snack or something.

17 INSPECTOR: I'll get you something to eat.
18 You want something to eat?

19 [REDACTED] A snack or something cause I
20 really feel dizzy.

21 INSPECTOR: Oh yeah hell yeah I'll get you
22 something to eat.

23 [REDACTED] Thanks man.

24 INSPECTOR: [Unintelligible].

25 INSPECTOR: Sure you don't want some water?

1 [REDACTED] Ah it's okay I just want
2 something to eat like sweet or something.

3 INSPECTOR: Okay we'll set you up with
4 something.

5 [REDACTED] Is this going to take a long
6 time?

7 INSPECTOR: [Unintelligible]. Ah I don't
8 think so.

9 [REDACTED] Cause they told us that they're
10 going to release us about four hours ago.

11 INSPECTOR: Okay just hang tight you'll get
12 thought this.

13 [REDACTED] [Miss my job man]. So what is
14 this?

15 INSPECTOR: You're in the ah the ah police
16 department the main ah...the main building.

17 [REDACTED] Oh I know but like what is.

18 INSPECTOR: Just an interview.

19 [REDACTED] So you [REDACTED] are just having an
20 interview with me.

21 INSPECTOR: Just hang tight till they get
22 back.

23 INSPECTOR: All right went up to get a
24 candy bar.

25 INSPECTOR ENGLER: Oh you did are you

1 crashing.

2 [REDACTED] I feel dizzy.

3 INSPECTOR ENGLER: Okay that's fine you want
4 to throw out there just turn the tape on.

5 INSPECTOR: All right we're on tape.

6 INSPECTOR ENGLER: Okay so you obviously
7 know...you were stopped by the police tonight.

8 [REDACTED] Ah ha.

9 INSPECTOR ENGLER: Okay you've been waiting for
10 quite some time and I've had a lot of people that
11 were out there tonight that were witnesses to the
12 incident at or around Columbus and Broadway.

13 [REDACTED] Ah ha.

14 INSPECTOR ENGLER: They came in and talked to
15 us voluntarily. Um you were placed in handcuffs.

16 [REDACTED] Ah ha.

17 INSPECTOR ENGLER: You're held in a police
18 station for a while. I want to get your story.

19 [REDACTED] Ah ha.

20 INSPECTOR ENGLER: Before I can ask you any
21 questions I'm going to read you your Miranda
22 because you've been placed in handcuffs. This is a
23 police facility okay. You have the right to remain
24 silent. Do you understand that?

25 [REDACTED] Yes.

1 INSPECTOR ENGLER: I'm sorry what.

2 [REDACTED] Yes.

3 INSPECTOR ENGLER: Okay anything you say may
4 be used against you in court. Do you understand
5 that?

6 [REDACTED] Yes sir.

7 INSPECTOR ENGLER: You have the right to the
8 presence of an attorney before and during any
9 questioning. Do you understand that?

10 [REDACTED] Yes sir.

11 INSPECTOR NEGLER: Okay if you cannot afford
12 an attorney one will be appointed for you free of
13 charge before any questioning if you want. Do you
14 understand that?

15 [REDACTED] Yes sir.

16 INSPECTOR ENGLER: Okay what I want to talk
17 to you about okay are the circumstances from when
18 what you were doing right before you were stopped
19 tonight. The circumstances of the stop okay and
20 why you're here right now.

21 [REDACTED]: Okay.

22 INSPECTOR ENGLER: Okay a lot of people came
23 down here on their own to provide us with really to
24 the point information. So we already kind of have
25 a really good idea what's going on. One of the

1 things that we don't have is the why okay. There
2 were some conversations that happened out there in
3 front of the...the [unintelligible] taqueria
4 [unintelligible] tonight. We need to clear that up
5 okay. I'm going to tell you right now that yeah
6 technically by law you're under arrest placed you
7 in handcuffs held you in a police facility. We
8 have you here now.

9 [REDACTED] Ah ha.

10 INSPECTOR ENGLER: Okay but I'm also going to
11 tell you that I also know that you were not the [REDACTED]
12 with the gun.

13 [REDACTED] Okay.

14 INSPECTOR ENGLER: So let me put that on the
15 table right now.

16 [REDACTED] Okay.

17 INSPECTOR ENGLER: Okay.

18 [REDACTED] Okay.

19 INSPECTOR ENGLER: What I need you to do is
20 give me a little background on the why.

21 [REDACTED] Okay.

22 INSPECTOR ENGLER: Cause there was some gang
23 stuff going on and I'd rather not see you get
24 sucked up into it okay. So that's where we're at.
25 I put my cards on the table so why don't you tell

1 me about yours.

2 [REDACTED] Well I was with ah my friend
3 [REDACTED] [REDACTED].

4 INSPECTOR ENGLER: Okay.

5 [REDACTED] [REDACTED]

6 INSPECTOR ENGLER: Okay.

7 [REDACTED] [REDACTED] name's [REDACTED]. I was
8 standing there right in the front when that
9 happened...the shooting and everybody started running
10 you know and I seen that [REDACTED] running. I know [REDACTED]
11 the [REDACTED] downstairs.

12 INSPECTOR ENGLER: Which [REDACTED]

13 [REDACTED] The [REDACTED] downstairs.

14 INSPECTOR ENGLER: Ah ha.

15 [REDACTED] [REDACTED] got shot in [REDACTED] leg so ah we
16 ran from Royal 20's I was like come come you know
17 let me go get my car I'll take you to the hospital.
18 We went through the alley you know me and [REDACTED] and
19 [REDACTED] was you know [REDACTED] couldn't walk. We were all the
20 way on top of the parking lot with the cars and
21 there was [REDACTED] over there you know and [REDACTED] got
22 scared [REDACTED] was like I think those are the
23 people...those are the people so we came back. We
24 came back down the alley and the police pulled a
25 gun on us and put us on the ground and I was like

1 the...the...the people right there the people right
2 there but they stayed on us. You know so we
3 stayed...then we got handcuffed and we stayed there
4 till like right now. [Unintelligible]. That's when
5 it started.

6 INSPECTOR ENGLER: Okay so the incident...the
7 incident we're talking about is case number 100 609
8 942 and it's entitled assault aggravated with a gun
9 okay. Just so we introduce each other properly I'm
10 Inspector Joe Engler Star 239 okay. That's my
11 partner.

12 INSPECTOR PIERUCCHI: Pierucchi [1604].

13 INSPECTOR ENGLER: Okay this is ah the DA
14 Investigator that I work with routinely.

15 INSPECTOR POSADA: Jim Posada [704].

16 INSPECTOR ENGLER: Okay and what's your name
17 for the record?

18 [REDACTED]

[REDACTED]

19 INSPECTOR ENGLER: How do you say that?

20 [REDACTED]

[REDACTED]

21 INSPECTOR ENGLER: Okay could you spell your
22 last name for me?

23 [REDACTED]

[REDACTED]

24 is [REDACTED]. my first name

25 [REDACTED]

INSPECTOR ENGLER: Okay what's your birthday?

1 [REDACTED] [REDACTED].

2 INSPECTOR ENGLER: And what's your cell
3 phone?

4 [REDACTED] My cell phone number...I don't
5 really memorize it. I just got the number but I
6 can give you [REDACTED]. It's
7 ah [REDACTED] which is [unintelligible].

8 INSPECTOR ENGLER: What is it?

9 [REDACTED] [REDACTED].

10 INSPECTOR ENGLER: [REDACTED]?

11 [REDACTED] [REDACTED]?

12 INSPECTOR ENGLER: [REDACTED].

13 [REDACTED] [REDACTED].

14 INSPECTOR ENGLER: [REDACTED]

15 [REDACTED] [REDACTED] [REDACTED]

16 [REDACTED].

17 INSPECTOR ENGLER: [REDACTED]

18 [REDACTED]

19 [REDACTED] [REDACTED]

20 INSPECTOR ENGLER: [REDACTED]

21 [REDACTED] [REDACTED]

22 INSPECTOR ENGLER: Okay so the...the place that
23 you were at when the shots rang out where exactly
24 is that?

25 [REDACTED] It was 20th Royal 20 strip club.

1 I was in front.

2 INSPECTOR ENGLER: Is that right on the
3 corner of Columbus and Broadway?

4 [REDACTED] [Unintelligible].

5 INSPECTOR ENGLER: On Broadway.

6 [REDACTED] Yeah.

7 INSPECTOR ENGLER: Could you see the shooter
8 as [REDACTED] was firing the gun?

9 [REDACTED] No because the shooter [wasn't]
10 on Columbus you could hear it.

11 INSPECTOR ENGLER: Ah ha how many shots did
12 you hear?

13 [REDACTED] Yeah I really didn't count it
14 but it was a lot.

15 INSPECTOR ENGLER: Is a lot like two or
16 three.

17 [REDACTED] No it was kind of more.

18 INSPECTOR ENGLER: Kind of more is a lot
19 twenty or thirty.

20 [REDACTED] About like five something like
21 that.

22 INSPECTOR ENGLER: Okay.

23 [REDACTED] Yeah.

24 INSPECTOR ENGLER: So somewhere around five
25 shots.

1 [REDACTED] Five or more [unintelligible]

2 I'm not sure.

3 INSPECTOR ENGLER: How did it sound was it
4 all 1-2-3-4-5 or.

5 [REDACTED] Yeah well at first we thought
6 it was a firework you know till people started
7 running we started running [unintelligible] seen
8 [REDACTED] start running everybody started running.

9 INSPECTOR ENGLER: Okay two people start
10 running you.

11 [REDACTED] [No].

12 INSPECTOR ENGLER: You started running then
13 [REDACTED] started running I mean.

14 [REDACTED] No no people started running
15 coming from Columbus.

16 INSPECTOR ENGLER: Yeah.

17 [REDACTED] You know from the corner.

18 INSPECTOR ENGLER: Ah ha.

19 [REDACTED] A lot of people started
20 running.

21 INSPECTOR ENGLER: Towards you.

22 [REDACTED] Toward Mission I mean toward
23 Broadway.

24 INSPECTOR ENGLER: Okay.

25 [REDACTED] So after that we knew it was a

1 gunshot wasn't a firework and we all ran.

2 INSPECTOR ENGLER: Okay this friend of yours
3 [REDACTED] downstairs. [REDACTED] in the black hoodie
4 sweatshirt. What's [REDACTED] name?

5 [REDACTED] Well really [REDACTED] not my friend.

6 INSPECTOR ENGLER: Well you called [REDACTED] your
7 friend so.

8 [REDACTED] Yeah.

9 INSPECTOR ENGLER: So you're going to drive
10 [REDACTED] to the hospital.

11 [REDACTED] [REDACTED] I met [REDACTED]
12 today.

13 INSPECTOR ENGLER: What's [REDACTED] last
14 name?

15 [REDACTED] [Unintelligible] something like
16 that.

17 INSPECTOR ENGLER: Why would I mean come on
18 okay so?

19 [REDACTED] Somebody was shot.

20 INSPECTOR ENGLER: It's not believable...I'll
21 tell you right now stop...stop...stop. It's not
22 believable that you meet someone for the first time
23 tonight at Columbus and Broadway they get shot and
24 you're going to put yourself in the middle of that
25 giving that [REDACTED] a ride. That's not believable. If

1 you know [REDACTED] that's not a crime but you know what I
2 mean. You've seen [REDACTED] out there before right?

3 [REDACTED] No swear to God that's my first
4 time.

5 INSPECTOR ENGLER: And you're going to give
6 [REDACTED] a ride to the hospital.

7 [REDACTED] Yes sir.

8 INSPECTOR ENGLER: Come on.

9 [REDACTED] Why not.

10 INSPECTOR ENGLER: Why not I mean somebody
11 just got shot you're gonna immediately run off with
12 em.

13 [REDACTED] [Unintelligible] of course [REDACTED]
14 [REDACTED].

15 INSPECTOR ENGLER: Okay.

16 [REDACTED] And if I got shot I would want
17 someone to save me you know.

18 INSPECTOR ENGLER: Hum well you're a good

19 [REDACTED]
20 [REDACTED] [REDACTED]

21 INSPECTOR ENGLER: [REDACTED]
22 [REDACTED] [REDACTED]

23 INSPECTOR ENGLER: [REDACTED]
24 [REDACTED] [REDACTED]

25 INSPECTOR ENGLER: Okay.

1 [REDACTED]: [REDACTED]
2 [REDACTED]
3 INSPECTOR ENGLER: [REDACTED]
4 [REDACTED]: Yeah.
5 INSPECTOR ENGLER: Okay what happened [REDACTED]
6 [REDACTED]
7 [REDACTED]: [REDACTED]
8 [REDACTED] [REDACTED]
9 [REDACTED]
10 INSPECTOR ENGLER: Ah ha.
11 [REDACTED]: [Unintelligible] for it.
12 INSPECTOR ENGLER: And then what's up with
13 [REDACTED]
14 [REDACTED]: No...no [REDACTED]
15 [REDACTED].
16 INSPECTOR ENGLER: What were [REDACTED]
17 [REDACTED]: [REDACTED]
18 INSPECTOR ENGLER: [REDACTED]
19 [REDACTED]: Yes sir.
20 INSPECTOR ENGLER: Where.
21 [REDACTED]: I was...well actually I wasn't
22 [REDACTED] I was walking. I was [REDACTED]
23 walking and I got [REDACTED]
24 me [unintelligible].
25 INSPECTOR ENGLER: You must have a decent

1 [REDACTED]
2 [REDACTED] [REDACTED]
3 INSPECTOR ENGLER: [REDACTED]
4 [REDACTED] [Unintelligible] now I got a
5 job.
6 INSPECTOR ENGLER: Where are you working?
7 [REDACTED] [REDACTED]
8 INSPECTOR ENGLER: [REDACTED].
9 INSPECTOR ENGLER: So did you get involved
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]: No.
13 INSPECTOR ENGLER: Did you get involved with
14 the gangs out there?
15 [REDACTED]: No [REDACTED] [unintelligible].
16 INSPECTOR ENGLER: Oh I understand [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]: Yes sir.
21 INSPECTOR ENGLER: Okay and both of [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]: Yes sir.
25 INSPECTOR ENGLER: Okay so I understand okay

1 [REDACTED]
2 [REDACTED] : Yes sir.
3 INSPECTOR ENGLER: Okay but I also understand
4 [REDACTED]
5 [REDACTED]
6 [REDACTED] : Yes.
7 INSPECTOR ENGLER: Okay and it's probably not
8 okay [REDACTED]
9 [REDACTED] : True.
10 INSPECTOR ENGLER: Okay so we all sometimes
11 can make mistakes true.
12 [REDACTED] Yes sir.
13 INSPECTOR ENGLER: Okay and sometimes we do
14 things that are uncharacteristic of where we come
15 from true.
16 [REDACTED] Yes sir.
17 INSPECTOR ENGLER: Okay so all I want is the
18 truth okay.
19 [REDACTED] Yes sir.
20 INSPECTOR ENGLER: And if...if you're not a
21 perfect [REDACTED] I can accept that.
22 [REDACTED] : Of course.
23 INSPECTOR ENGLER: Okay all right so let's
24 get back to this [REDACTED] that you met for the first
25 time and you're driving to the hospital right after

1 a shooting happens. How did you meet [REDACTED] today?

2 [REDACTED] Well I met [REDACTED] through a
3 friend.

4 INSPECTOR ENGLER: Who's the friend?

5 [REDACTED] Ah [REDACTED] name is [REDACTED].

6 INSPECTOR ENGLER: Who.

7 [REDACTED].

8 INSPECTOR ENGLER: [REDACTED] ...can you spell
9 that?

10 [REDACTED] [REDACTED]

11 INSPECTOR ENGLER: [REDACTED]

12 [REDACTED] Yeah.

13 INSPECTOR ENGLER: [REDACTED]

14 [REDACTED]

15 [REDACTED] [REDACTED].

16 INSPECTOR ENGLER: [REDACTED].

17 [REDACTED] Yeah.

18 INSPECTOR ENGLER: Okay who's [REDACTED] to you?

19 [REDACTED] [REDACTED] a friend of mine.

20 INSPECTOR ENGLER: How do you know [REDACTED]?

21 [REDACTED] I've known [REDACTED] for a long time.

22 INSPECTOR ENGLER: What's [REDACTED] real name?

23 [REDACTED] I don't know [REDACTED] real name but
24 I know [REDACTED] from Broadway.

25 INSPECTOR ENGLER: From Broadway.

1 [REDACTED] Yeah so I was hanging out on
2 Broadway and I haven't been on Broadway for a long
3 time [REDACTED].

4 INSPECTOR ENGLER: [REDACTED]
5 [REDACTED] And I just haven't been like
6 anywhere but today I wanted to go out
7 [unintelligible]. I haven't been out for like six
8 months.

9 INSPECTOR ENGLER: Okay let's talk about
10 [REDACTED]

11 [REDACTED] [REDACTED]
12 INSPECTOR ENGLER: [REDACTED]
13 [REDACTED]: Yes sir.

14 INSPECTOR ENGLER: [REDACTED]
15 [REDACTED]
16 [REDACTED] [REDACTED]
17 INSPECTOR ENGLER: [REDACTED]

18 [REDACTED]
19 [REDACTED] Yeah.

20 INSPECTOR ENGLER: So you've seen [REDACTED] in the
21 Mission District before.

22 [REDACTED] Yeah [REDACTED]...cause [REDACTED] lives in [REDACTED]
23 [REDACTED] and always [unintelligible] [REDACTED]
24 [REDACTED].

25 INSPECTOR ENGLER: Ah ha.

1 [REDACTED] [REDACTED] has a [REDACTED].

2 INSPECTOR ENGLER: Ah ha.

3 [REDACTED] [REDACTED]

4 [REDACTED]

5 INSPECTOR ENGLER: Ah ha.

6 [REDACTED] And [unintelligible].

7 INSPECTOR ENGLER: [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 INSPECTOR ENGLER: [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 INSPECTOR ENGLER: Ah ha where...where is in
front of [REDACTED] [REDACTED].

15 [REDACTED] [REDACTED]

16 INSPECTOR ENGLER: Where abouts?

17 [REDACTED] About ah.

18 INSPECTOR ENGLER: What...what...what street?

19 [REDACTED] [REDACTED].

20 INSPECTOR ENGLER: [REDACTED].

21 [REDACTED] Ah ha.

22 INSPECTOR ENGLER: Okay do you know about the
address or what cross street?

23 [REDACTED] No it's on [REDACTED] but I don't

1 know which...like what's the address number.

2 INSPECTOR ENGLER: Ah ha.

3 [REDACTED] I know if I go there I know
4 where it is.

5 INSPECTOR ENGLER: How long have you known
6 [REDACTED]?

7 [REDACTED] Probably like a year and half.

8 INSPECTOR ENGLER: How old is [REDACTED]?

9 [REDACTED] [REDACTED] [REDACTED].

10 INSPECTOR ENGLER: [REDACTED] years.

11 [REDACTED]: Yeah.

12 INSPECTOR ENGLER: [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED]

15 INSPECTOR ENGLER: Does [REDACTED] run around with
16 gangs?

17 [REDACTED] No.

18 INSPECTOR ENGLER: Does [REDACTED] have any gang
19 tattoos?

20 [REDACTED] No.

21 INSPECTOR ENGLER: Has [REDACTED] ever run around
22 with gangs?

23 [REDACTED] No.

24 INSPECTOR ENGLER: How do you know?

25 [REDACTED] I know because like I've been

1 with [REDACTED] for a year and half like I know [REDACTED]. [REDACTED]
2 [REDACTED]. [REDACTED] takes care of [REDACTED] works you
3 know. If I knew [REDACTED] was in a gang I would kind of
4 know.

5 INSPECTOR ENGLER: Where does [REDACTED]
6 [REDACTED]?
7 [REDACTED] [REDACTED]
8 [REDACTED]

9 INSPECTOR ENGLER: [REDACTED]
10 [REDACTED]: [REDACTED]
11 INSPECTOR ENGLER: [REDACTED]
12 [REDACTED]: Yeah.

13 INSPECTOR ENGLER: [REDACTED]
14 [REDACTED]
15 [REDACTED] [REDACTED]
16 [REDACTED]

17 INSPECTOR ENGLER: [REDACTED]
18 [REDACTED] [REDACTED] yeah.
19 INSPECTOR ENGLER: [REDACTED]

20 [REDACTED]
21 [REDACTED] I don't know where I've never
22 been there.

23 INSPECTOR ENGLER: [REDACTED]
24 [REDACTED] [REDACTED]
25 [REDACTED]

1 INSPECTOR ENGLER: Ah ha.

2 [REDACTED] And [REDACTED] has a couple other

3 [REDACTED] [unintelligible].

4 INSPECTOR ENGLER: Where did [REDACTED] grow up?

5 [REDACTED] Who.

6 INSPECTOR ENGLER: [REDACTED].

7 [REDACTED] I think in [REDACTED].

8 INSPECTOR ENGLER: Okay do you know where [REDACTED]

9 went to high school?

10 [REDACTED] Um [REDACTED].

11 INSPECTOR ENGLER: [REDACTED]

12 [REDACTED]

13 [REDACTED] Yeah I've [REDACTED]

14 [REDACTED]

15 INSPECTOR ENGLER: [REDACTED]

16 [REDACTED] [REDACTED]

17 INSPECTOR ENGLER: Okay so you know [REDACTED]

18 pretty well. Okay was [REDACTED] out there tonight?

19 [REDACTED] Yeah.

20 INSPECTOR ENGLER: When the shooting

21 happened.

22 [REDACTED] Yeah yeah [REDACTED] was with me when

23 everyone disappeared.

24 INSPECTOR ENGLER: So [REDACTED] was with you when

25 that shooting happened.

1 [REDACTED] Yeah.

2 INSPECTOR ENGLER: Okay do you have [REDACTED]
3 phone number in your phone?

4 [REDACTED] My phone [unintelligible].

5 INSPECTOR ENGLER: Okay let me see this is ah
6 the number in here.

7 [REDACTED] Yeah.

8 INSPECTOR ENGLER: Do you mind if I take a
9 look?

10 [REDACTED] It's not going to turn off.

11 INSPECTOR ENGLER: It's not going to turn on.

12 [REDACTED] No.

13 INSPECTOR ENGLER: Okay so [REDACTED]
14 introduced you to what's the [REDACTED] in the black
15 sweatshirt's name?

16 [REDACTED] [REDACTED]
17 INSPECTOR ENGLER: [REDACTED] introduce
18 you to [REDACTED]

19 [REDACTED] Yeah [REDACTED] knows [REDACTED] too.

20 INSPECTOR ENGLER: Ah ha.

21 [REDACTED] And when it happened when the
22 shooting happened I have witnesses I was in front
23 of the Royal Twenties.

24 INSPECTOR ENGLER: Ah ha.

25 [REDACTED]: The [REDACTED] whose name is [REDACTED]

1 works there.

2 INSPECTOR ENGLER: Ah ha I didn't ask [REDACTED] to
3 vouch for you I just want to know so [REDACTED] was with
4 you when the shooting happened.

5 [REDACTED] Yes.

6 INSPECTOR ENGLER: Where was [REDACTED] standing?

7 [REDACTED] Right next to me.

8 INSPECTOR ENGLER: In front of the Roaring
9 Twenties.

10 [REDACTED] Yes.

11 INSPECTOR ENGLER: Okay this [REDACTED]...what's [REDACTED]
12 name again in the black sweatshirt when you're
13 downstairs?

14 [REDACTED] [REDACTED]

15 INSPECTOR ENGLER: [REDACTED] did [REDACTED]
16 come around the corner?

17 [REDACTED] Yeah.

18 INSPECTOR ENGLER: When.

19 [REDACTED] [REDACTED] came around the corner after
20 the shooting.

21 INSPECTOR ENGLER: After the shooting.

22 [REDACTED] Yeah.

23 INSPECTOR ENGLER: Okay ah was [REDACTED]...was [REDACTED]
24 alone or was [REDACTED] with somebody else?

25 [REDACTED] [REDACTED] was alone [REDACTED] was running.

1 INSPECTOR ENGLER: Okay and what did [REDACTED] say?

2 [REDACTED] I got shot...I got shot.

3 INSPECTOR ENGLER: Okay and ah what did you
4 say?

5 [REDACTED] And I was just surprised
6 because you know I just met [REDACTED] you know
7 [unintelligible] I just met [REDACTED] you know and I was
8 like oh shit you know come on come on my car's
9 right up in the corner let me take you to the
10 hospital real quick and we were walking running out
11 to my car you know and there was [REDACTED] were over
12 there so we got scared we thought it was them it
13 was them I don't know.

14 INSPECTOR ENGLER: Who were those [REDACTED] over
15 there? What did they look like?

16 [REDACTED] [Unintelligible] wearing black
17 shirt and [REDACTED] hair was kind of like...like brown...not
18 brown like. I don't know it wasn't like black or
19 brown like [REDACTED] had spray on it.

20 INSPECTOR ENGLER: Ah ha.

21 [REDACTED]: A different color like I can't
22 really explain it but [REDACTED] was a tall [REDACTED]

23 INSPECTOR ENGLER: [REDACTED]

24 [REDACTED] I would say [REDACTED]
25 I'm not really sure but [REDACTED] was like [real] big.

1 INSPECTOR ENGLER: What kind of clothes was
2 [REDACTED] wearing?

3 [REDACTED] [REDACTED] was wearing a black shirt.
4 I didn't.

5 INSPECTOR ENGLER: Like a black t-shirt.

6 [REDACTED] Yeah.

7 INSPECTOR ENGLER: Or was it a black polo
8 shirt or was it a black dress shirt what it a black
9 collared shirt black sweatshirt what was it?

10 [REDACTED] I really...I think it's a black
11 t-shirt.

12 INSPECTOR ENGLER: T-shirt like you have a
13 white t-shirt on.

14 [REDACTED] Yeah but I'm not a hundred
15 percent because you know like I was running you
16 know [unintelligible].

17 INSPECTOR ENGLER: Why didn't you inside
18 Roaring Twenties?

19 [REDACTED] Why.

20 INSPECTOR ENGLER: Yeah cause your friend's
21 with [REDACTED] right?

22 [REDACTED] Yeah.

23 INSPECTOR ENGLER: What did [REDACTED] do?

24 [REDACTED] What do you mean?

25 INSPECTOR ENGLER: Well when the shots

1 happened what did [REDACTED] do?

2 [REDACTED] [REDACTED]

3 INSPECTOR ENGLER: Okay why didn't you go in
4 with [REDACTED]?

5 [REDACTED] I don't know I just didn't have
6 the time like to think to go inside. I just
7 started running.

8 INSPECTOR ENGLER: Hum.

9 [REDACTED]: Yeah.

10 INSPECTOR ENGLER: Okay where did that...what's
11 your friend's name [REDACTED]?

12 [REDACTED] Yeah.

13 INSPECTOR ENGLER: Where did [REDACTED] go?

14 [REDACTED] I don't know...I don't know.

15 INSPECTOR ENGLER: Were you hanging out with
16 [REDACTED] that night?

17 [REDACTED] Everybody disappeared I was
18 supposed [to give [REDACTED] a ride] I don't even know how
19 [REDACTED] got home. My car is still in...on Broadway.

20 INSPECTOR ENGLER: What kind of car do you
21 drive?

22 [REDACTED] I have a [REDACTED]

23 INSPECTOR ENGLER: [REDACTED]

24 [REDACTED] Yeah.

25 INSPECTOR ENGLER: What color?

1 [REDACTED] [REDACTED]
2 INSPECTOR ENGLER: [REDACTED]
3 [REDACTED] Yeah [REDACTED]
4 INSPECTOR ENGLER: [REDACTED] ...where's it
5 parked right now?
6 [REDACTED] It's ah you know Columbus right
7 here.
8 INSPECTOR ENGLER: Ah ha.
9 [REDACTED] And Broadway right here there's a
10 little alley it's right there [unintelligible].
11 INSPECTOR ENGLER: In a paid parking lot or
12 on the street.
13 [REDACTED] No on the street.
14 INSPECTOR ENGLER: Okay um what did [REDACTED]
15 tell you? You were with [REDACTED] for a long time
16 tonight.
17 [REDACTED] [REDACTED]
18 INSPECTOR ENGLER: Yeah the [REDACTED] that got shot
19 that you were going to drive to the hospital.
20 [REDACTED] Well [REDACTED] just said [REDACTED] got shot
21 [REDACTED] got shot.
22 INSPECTOR ENGLER: What did [REDACTED] tell you? You
23 [REDACTED] had been together for a long time.
24 [REDACTED] Yeah but we didn't talk about
25 anything like personal you know.

1 INSPECTOR ENGLER: Well I mean you've
2 been...you've been stopped since 1:00 in the morning
3 that's pretty personal.

4 [REDACTED] Yeah.

5 INSPECTOR ENGLER: You [REDACTED] had a few moments
6 to...to talk.

7 [REDACTED] I mean we kind of were
8 surprised we were getting pulled like handcuffed.
9 I mean [REDACTED] got shot and [REDACTED] got handcuffed.

10 INSPECTOR ENGLER: So what did [REDACTED] say about
11 that?

12 [REDACTED] [REDACTED] was mad.

13 INSPECTOR ENGLER: What did [REDACTED] say?

14 [REDACTED] Ha..

15 INSPECTOR ENGLER: What did [REDACTED] say?

16 [REDACTED] I mean it was unbelievable that
17 somebody got shot and [REDACTED] being handcuffed.

18 INSPECTOR ENGLER: What did [REDACTED] say though?

19 [REDACTED] What do you mean what did [REDACTED]
20 say?

21 INSPECTOR ENGLER: Well what did [REDACTED] say? I
22 mean here's the thing hum you said that.

23 [REDACTED] Well [REDACTED] told the cops that you
24 know why am I in handcuffs and stuff you know.

25 INSPECTOR ENGLER: You heard [REDACTED] say that?

1 [REDACTED] Yeah and I said it too why am I
2 handcuffed. I was running too everybody was
3 running too you know. Why you [REDACTED] didn't handcuff
4 everybody who was running.

5 INSPECTOR ENGLER: Ah ha okay so what did [REDACTED]
6 say to you about...about the shooting.

7 [REDACTED] [REDACTED] didn't say nothing to me [REDACTED]
8 said I just...somebody started shooting and it hit me
9 and I started running.

10 INSPECTOR ENGLER: Did [REDACTED] tell you [REDACTED] knew
11 who shot [REDACTED]?

12 [REDACTED] No no hell no [REDACTED] didn't even
13 see who shot [REDACTED].

14 INSPECTOR ENGLER: Why not.

15 [REDACTED] [REDACTED] didn't see it just came out
16 of nowhere.

17 INSPECTOR ENGLER: It didn't come out of
18 nowhere I mean.

19 [REDACTED] Well you know I don't know if
20 [REDACTED] seen it but [REDACTED] didn't tell me [REDACTED] seen it. If [REDACTED]
21 seen it [REDACTED] didn't tell me that's not my problem and
22 I wasn't there to see who shot [REDACTED] or [who didn't].
23 I mean that's on [REDACTED] if [REDACTED] seen it and [REDACTED] won't
24 tell you [unintelligible].

25 INSPECTOR ENGLER: Ah ha. Where are you

1 living now?

2 [REDACTED] [REDACTED]

3 INSPECTOR ENGLER: What's the address there?

4 [REDACTED] [REDACTED] [unintelligible].

5 INSPECTOR ENGLER: [REDACTED]

6 [REDACTED]

7 [REDACTED] [REDACTED]

8 INSPECTOR ENGLER: [REDACTED]

9 [REDACTED] Yes sir.

10 INSPECTOR ENGLER: When was the last time you
11 saw [REDACTED] ?

12 [REDACTED] Last time I seen [REDACTED] was a
13 month ago.

14 INSPECTOR ENGLER: Ah ha okay.

15 [REDACTED] I seen [REDACTED]

16 [Unintelligible] [REDACTED]

17 [REDACTED].

18 INSPECTOR ENGLER: Ah ha so are you [REDACTED]

19 [REDACTED].

20 [REDACTED] [REDACTED].

21 INSPECTOR ENGLER: Do you know [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 INSPECTOR ENGLER: Ah ha you have [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED] [REDACTED]
6 INSPECTOR ENGLER: [REDACTED]
7 [REDACTED] [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 INSPECTOR ENGLER: [REDACTED]
11 [REDACTED]
12 [REDACTED] [Ah ha].
13 INSPECTOR ENGLER: [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED] Ah what do you mean?
17 INSPECTOR ENGLER: Well you picked up...you
18 [REDACTED]
19 [REDACTED]
20 INSPECTOR ENGLER: [REDACTED] [REDACTED]
21 [REDACTED]
22 [REDACTED] [REDACTED]
23 INSPECTOR ENGLER: [REDACTED]
24 [REDACTED] Yes.
25 INSPECTOR ENGLER: Were you alone?

1 [REDACTED] Yeah...no actually I had a friend
2 with me.

3 INSPECTOR ENGLER: Ah ha...ah ha. [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED]
6 INSPECTOR ENGLER: [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 INSPECTOR ENGLER: [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 INSPECTOR ENGLER: What...what was that?

14 [REDACTED] [REDACTED]

15 INSPECTOR ENGLER: Ah ha.

16 [REDACTED] [REDACTED] [REDACTED]

17 INSPECTOR ENGLER: What does that mean?

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 INSPECTOR ENGLER: Ah ha.

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 INSPECTOR ENGLER: Ah ha.

1 [REDACTED] [REDACTED]

2 INSPECTOR ENGLER: Ah ha.

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED] [unintelligible].

5 INSPECTOR ENGLER: Ah ha.

6 [REDACTED] That's what happened.

7 INSPECTOR ENGLER: [REDACTED]

8 [REDACTED] [REDACTED]

9 [REDACTED] [REDACTED]

10 [REDACTED] Yeah I used to

11 [REDACTED] [unintelligible].

12 INSPECTOR ENGLER: Yeah every day.

13 [REDACTED] I used to.

14 INSPECTOR ENGLER: Okay and are you aware
15 there's a lot of people that are affiliated with
16 gangs that hang out up there every day. You know
17 that right?

18 [REDACTED] Yeah.

19 INSPECTOR ENGLER: Okay some of those [REDACTED]
20 are your friend's right?

21 [REDACTED] I used to hang out with them
22 yes.

23 INSPECTOR ENGLER: Okay so you used to hang
24 out with 'em.

25 [REDACTED] Yeah.

1 INSPECTOR ENGLER: Okay so of the people you
2 hung out with were more of them [REDACTED]
3 [REDACTED] or more.

4 [REDACTED] Today.

5 INSPECTOR ENGLER: Just in general.

6 [REDACTED] Yeah well I hanged out with a
7 lot of people. I did [hang out with [REDACTED]

8 INSPECTOR ENGLER: Yes.

9 [REDACTED] Yes I did.

10 INSPECTOR ENGLER: Okay.

11 [REDACTED] [REDACTED]
12 [REDACTED]

13 INSPECTOR ENGLER: That's what we're talking
14 about.

15 [REDACTED] [REDACTED]

16 INSPECTOR ENGLER: [REDACTED]
17 [REDACTED]

18 [REDACTED] [Right now I would].

19 INSPECTOR ENGLER: Back then.

20 [REDACTED] [No].

21 INSPECTOR ENGLER: Why not.

22 [REDACTED] Well actually yeah cause.

23 INSPECTOR ENGLER: Stop...stop I only want
24 honesty okay. [REDACTED]

25 [REDACTED] I don't know.

1 INSPECTOR ENGLER: [REDACTED]
2 [REDACTED]
3 [REDACTED] So I'm going to tell you right now do
4 not lie to me okay do not do it. Don't do it okay.
5 [REDACTED]
6 [REDACTED]
7 [REDACTED] Yes.
8 INSPECTOR ENGLER: [REDACTED]
9 [REDACTED]
10 [REDACTED] [REDACTED]
11 INSPECTOR ENGLER: Okay [REDACTED]
12 [REDACTED]
13 [REDACTED] Cause [REDACTED]
14 [REDACTED]
15 INSPECTOR ENGLER: [REDACTED]
16 [REDACTED]
17 [REDACTED] But.
18 INSPECTOR ENGLER: [REDACTED]
19 [REDACTED]
20 [REDACTED] Ah ha.
21 INSPECTOR ENGLER: I want to get to the truth
22 because some of the stuff that I know about you I
23 need to see how honest you're being with me.
24 [REDACTED]: Yeah.
25 INSPECTOR ENGLER: So answer my questions

1 honestly.

2 [REDACTED]

[REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 INSPECTOR ENGER: Ah ha okay.

8 [REDACTED]

[REDACTED]

9 [REDACTED]

10 INSPECTOR ENGLER: Ah ha okay fair enough.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

[REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 INSPECTOR ENGLER: Ah ha.

22 [REDACTED]

[REDACTED]

23 INSPECTOR ENGLER: Ah ha.

24 [REDACTED]

[REDACTED]

25 INSPECTOR ENGLER: Ah ha.

1 [REDACTED] [REDACTED]
2 [REDACTED]
3 INSPECTOR ENGLER: [REDACTED]
4 [REDACTED]
5 [REDACTED] [REDACTED]
6 INSPECTOR ENGLER: [REDACTED]
7 [REDACTED] No.
8 INSPECTOR ENGLER: How about today?
9 [REDACTED] [REDACTED]
10 INSPECTOR ENGLER: [REDACTED]
11 [REDACTED]
12 [REDACTED] No.
13 INSPECTOR ENGLER: [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED] [REDACTED]
18 [REDACTED]
19 INSPECTOR ENGLER: Right.
20 [REDACTED] [REDACTED]
21 [REDACTED] [REDACTED]
22 [REDACTED]
23 INSPECTOR ENGLER: [REDACTED] am I...am I am I
24 [REDACTED]
25 a second. Okay let's go back to that. A minute

1 ago...and again [REDACTED]
2 [REDACTED]
3 [REDACTED] I know.
4 INSPECTOR ENGLER: [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED] [REDACTED]
9 INSPECTOR ENGLER: [REDACTED]
10 [REDACTED]
11 [REDACTED] Yeah.
12 INSPECTOR ENGLER: [REDACTED]
13 [REDACTED]
14 [REDACTED] Yeah.
15 INSPECTOR ENGLER: So what did you hear about
16 tonight's fight and why it started. Because
17 there's a lot of people that go to Broadway and
18 Columbus and some of the people may even claim the
19 same thing. They...some people may all [REDACTED]
20 [REDACTED]
21 [REDACTED] and not like each
22 other or for whatever reason. Are you aware of that
23 happening in the past?
24 [REDACTED] Yeah.
25 INSPECTOR ENGLER: Okay did that happen

1 tonight?

2 [REDACTED] To be honest with you I don't
3 know because I wasn't there you know.

4 INSPECTOR ENGLER: Ah ha.

5 [REDACTED] I wasn't there I was on
6 Broadway I wasn't on Columbus.

7 INSPECTOR ENGLER: Ah ha okay.

8 [REDACTED] You know if I...if I know I'll
9 tell you.

10 INSPECTOR ENGLER: I'm not quite there yet
11 with you where I believe. We're working on it.

12 [REDACTED] Ah ha.

13 INSPECTOR ENGLER: Okay but I need you to be
14 a little bit more direct with me. I'm...I'm not
15 saying your lying but I'm not quite there...I'm not
16 quite there yet where you're showing me your being
17 truthful.

18 [REDACTED] I mean it happened so fast.

19 INSPECTOR ENGLER: Ah ha.

20 [REDACTED] You know how are you going to
21 understand what happened or anything you know. In
22 three minutes I was handcuffed.

23 INSPECTOR ENGLER: Ah ha.

24 [REDACTED] How am I going to know who did
25 it and how it happened?

1 INSPECTOR ENGLER: Ah ha.

2 [REDACTED] If anybody got in an argument
3 or somebody started shooting. it's always like that
4 right.

5 INSPECTOR ENGLER: Ah ha.

6 [REDACTED] It's always like that somebody
7 got in an argument somebody shoots. But I don't
8 know what kind of argument. I don't know nothing
9 and nobody told me anything.

10 INSPECTOR ENGLER: Ah ha.

11 [REDACTED] You know I haven't talked to
12 anybody about it that's it.

13 INSPECTOR ENGLER: Ah ha okay. Okay so

14 [REDACTED] okay you said that you met [REDACTED] earlier
15 today.

16 [REDACTED] Yeah.

17 INSPECTOR ENGLER: How did that introduction
18 go? How was that made? How was that introduction
19 made?

20 [REDACTED] It was talking to somebody
21 [unintelligible].

22 INSPECTOR ENGLER: Did [REDACTED] hang out at the
23 same place you were at for a while?

24 [REDACTED] Yeah [REDACTED] stayed there for a
25 little bit like we were talking you know.

1 INSPECTOR ENGLER: Ah ha.

2 [REDACTED] And [REDACTED] was just [standing
3 outside] [unintelligible].

4 INSPECTOR ENGLER: Did [REDACTED] go inside with you?

5 [REDACTED] No I didn't even go inside the
6 strip club.

7 INSPECTOR ENGLER: You didn't go inside
8 either you're hanging around.

9 [REDACTED] Yeah cause I was going to see
10 my friend [REDACTED]. You know [REDACTED] my friend for a long
11 time. And I was going to see [REDACTED] and hang out in
12 the front. [REDACTED]

13 [REDACTED]
14 INSPECTOR ENGLER: So you're hanging out with
15 [REDACTED] but where do you park your car?

16 [REDACTED] Broadway in that little alley.

17 INSPECTOR ENGLER: Columbus and what or
18 Broadway and what?

19 [REDACTED] It's on Columbus like near
20 Broadway there's an alley right there like a street
21 [unintelligible].

22 INSPECTOR ENGLER: Ah ha did you get in a
23 fight tonight at all?

24 [REDACTED] [Unintelligible].

25 INSPECTOR ENGLER: How long were you out

1 there tonight?

2 [REDACTED] I got there maybe like at
3 10:00.

4 INSPECTOR ENGLER: At 10:00 where were you
5 coming from?

6 [REDACTED] [REDACTED]
7 INSPECTOR ENGLER: Ah ha who else was home
8 tonight?

9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 INSPECTOR ENGLER: Where does [REDACTED] live?

13 [REDACTED] [REDACTED].

14 INSPECTOR ENGLER: Okay who was there?

15 [REDACTED] [REDACTED]
16 [REDACTED].

17 INSPECTOR ENGLER: Did you have dinner there?

18 [REDACTED] Ha..

19 INSPECTOR ENGLER: Did you eat dinner there?

20 [REDACTED]: No I ate dinner at [REDACTED]

21 [REDACTED] [unintelligible].

22 INSPECTOR ENGLER: Where does your...your
23 [REDACTED].

24 [REDACTED] [REDACTED].

25 INSPECTOR ENGLER: Where does...where do they

1 live?

2 [REDACTED] In [REDACTED].

3 INSPECTOR ENGLER: Close to where you live or

4 no? [REDACTED].

5 [REDACTED]

6 INSPECTOR ENGLER: Where in [REDACTED] do

7 they live?

8 [REDACTED] They live on ah [I can't
9 remember].

10 INSPECTOR ENGLER: Ah ha how many times have
11 you been there?

12 [REDACTED] A lot.

13 INSPECTOR ENGLER: Why can't you remember?

14 [REDACTED] I don't know. I can't remember
15 where [REDACTED] lives...where they live at.

16 INSPECTOR ENGLER: What color is the [REDACTED]?

17 [REDACTED] [REDACTED]

18 INSPECTOR ENGLER: How many stories?

19 [REDACTED] [REDACTED]

20 INSPECTOR ENGLER: What kind of car does
21 [REDACTED] have?

22 [REDACTED] [REDACTED]

23 [unintelligible] [REDACTED] [REDACTED] d

24 [REDACTED] [unintelligible].

25 INSPECTOR ENGLER: What color is that?

1 [REDACTED] [REDACTED]
2 INSPECTOR ENGLER: All right [REDACTED] with you
3 tonight when the shooting happened?

4 [REDACTED] [REDACTED]
5 INSPECTOR ENGLER: Ah ha.

6 [REDACTED] No [unintelligible] [REDACTED]
7 [REDACTED]

8 INSPECTOR ENGLER: [REDACTED]
9 [REDACTED]

10 [REDACTED] [REDACTED] [REDACTED]
11 [REDACTED]
12 [REDACTED].

13 INSPECTOR ENGLER: Why not.
14 [REDACTED] [REDACTED] [REDACTED]
15 [REDACTED]
16 INSPECTOR ENGLER: So what do you associate
17 going out on Broadway with?

18 [REDACTED] [Unintelligible].
19 INSPECTOR ENGLER: [REDACTED]
20 [REDACTED]
21 [REDACTED] [REDACTED]
22 [REDACTED]
23 [REDACTED] [REDACTED]
24 [REDACTED]

25 INSPECTOR ENGLER: Because why.

1 [REDACTED]
2 [REDACTED]
3 INSPECTOR ENGLER: Ah ha all right so what
4 time did the shooting happen?
5 [REDACTED] Um all say 12:30 12:40 I'm not
6 quite sure but around that time.
7 INSPECTOR ENGLER: [REDACTED]
8 [REDACTED] Ha.
9 INSPECTOR ENGLER: [REDACTED]
10 [REDACTED] [REDACTED] [unintelligible] [REDACTED]
11 [REDACTED]
12 INSPECTOR ENGLER: [REDACTED]
13 [REDACTED]
14 [REDACTED] [REDACTED] [unintelligible].
15 INSPECTOR ENGLER: [REDACTED]
16 [REDACTED] [REDACTED]
17 INSPECTOR ENGLER: [REDACTED]
18 [REDACTED]
19 [REDACTED] [REDACTED]
20 INSPECTOR ENGLER: Did they run swab disks
21 across your hands earlier?
22 [REDACTED] Yes sir.
23 INSPECTOR ENGLER: To check for gunpowder?
24 [REDACTED] Yes sir.
25 INSPECTOR ENGLER: Okay is there anything you

1 need to tell me?

2 [REDACTED] No sir.

3 INSPECTOR ENGLER: Okay all right let's talk

4 about [REDACTED] How ah how well did you know

5 [REDACTED]

6 [REDACTED] I just met [REDACTED] today

7 [unintelligible].

8 INSPECTOR ENGLER: Ah ha what did you [REDACTED]

9 talk about?

10 [REDACTED] Nothing really you know cause
11 they came over where we were standing.

12 INSPECTOR ENGLER: Ah ha.

13 [REDACTED] [Unintelligible] talk about [REDACTED]
14 you know we were just...me and [REDACTED] talking about [REDACTED]
15 [REDACTED] life that's it.

16 INSPECTOR ENGLER: Okay what direction did ah
17 [REDACTED] come from [REDACTED]? Did [REDACTED] come around that
18 alley and you...was [REDACTED] coming down that hill? Was it
19 [Romolo] or was [REDACTED].

20 [REDACTED] Here's Columbus.

21 INSPECTOR ENGLER: Ah ha.

22 [REDACTED] [REDACTED] was coming down like to
23 Broadway.

24 INSPECTOR ENGLER: There to the corner.

25 [REDACTED] Yeah.

1 INSPECTOR ENGLER: Ah ha when you were
2 stopped by the officers were you going up the hill
3 or were you coming down the hill?

4 [REDACTED] We were coming down the hill.

5 INSPECTOR ENGLER: Coming down the hill.

6 [REDACTED] Because we went up the hill
7 [unintelligible] when we seen the [REDACTED] we were
8 coming back...we were running back.

9 INSPECTOR ENGLER: Inspector Pierucchi.

10 INSPECTOR PIERUCCHI: Do me a favor.

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 INSPECTOR PIERUCCHI: [REDACTED]

14 [REDACTED]: [REDACTED]

15 [REDACTED] [REDACTED]

16 INSPECTOR PIERUCCHI: [REDACTED].

17 [REDACTED] Ha.

18 INSPECTOR PIERUCCHI: [REDACTED]

19 [REDACTED]

20 [REDACTED] No.

21 INSPECTOR PIERUCCHI: No you ever down
22 there. It's the best ice cream out there man.

23 [REDACTED] [Unintelligible].

24 INSPECTOR PIERUCCHI: [Unintelligible] how
25 about ah that chicken place they have out there.

1 You get the fried chicken there you get the whole.
2 [REDACTED] Where.
3 INSPECTOR PIERUCCHI: [REDACTED]
4 [REDACTED] [unintelligible].
5 [REDACTED]: [REDACTED]
6 INSPECTOR PIERUCCHI: [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]: [REDACTED]
10 INSPECTOR PIERUCCHI: [REDACTED] okay right.
11 [REDACTED]: It's hell a far.
12 INSPECTOR PIERUCCHI: Yeah it's far ha ha
13 all right that's cool. All right listen you were
14 right here right you said the Roaring Twenties.
15 [REDACTED]: Ah yeah.
16 INSPECTOR PIERUCCHI: Okay you were hanging
17 out with [REDACTED]?
18 [REDACTED]: Yes.
19 INSPECTOR PIERUCCHI: [REDACTED]
20 [REDACTED]
21 [REDACTED]: [REDACTED]
22 INSPECTOR PIERUCCHI: [REDACTED]
23 [REDACTED] So you were out there. Tell me what
24 happens?
25 [REDACTED]: Okay I was right here.

1 INSPECTOR PIERUCCHI: Okay.

2 [REDACTED] : Where's Columbus?

3 INSPECTOR PIERUCCHI: Right here see it
4 Columbus.

5 [REDACTED] : Okay I was right here
6 [unintelligible] Broadway right.

7 INSPECTOR ENGLER: Why don't you put the
8 number one right where you were?

9 INSPECTOR PIERUCCHI: Here go ahead and
10 write it in.

11 [REDACTED] : I was right here number one and
12 [REDACTED] was coming this way.

13 INSPECTOR ENGLER: Why don't you put a number
14 two where [REDACTED] was coming from?

15 [REDACTED] : Number two this is the alley
16 right? I ran this way [REDACTED] ran with me and I told
17 [REDACTED] to come follow me to my car and take [REDACTED] to the
18 hospital and um here's the parking lot.

19 INSPECTOR PIERUCCHI: Okay.

20 [REDACTED] And when we seen the [REDACTED] we
21 came down and we got stopped right here.

22 INSPECTOR PIERUCCHI: You saw [REDACTED] where?

23 [REDACTED] The parking lot right here.

24 INSPECTOR PIERUCCHI: This parking lot
25 here.

1 [REDACTED] : Yeah.
2 INSPECTOR PIERUCCHI: Okay.
3 [REDACTED] : [Unintelligible] behind the car
4 [unintelligible] one [REDACTED] I seen behind the car.
5 INSPECTOR PIERUCCHI: You saw one [REDACTED]
6 behind a car in the parking lot.
7 [REDACTED] : Yeah.
8 INSPECTOR PIERUCCHI: Okay [REDACTED] number
9 four.
10 [REDACTED] : Yeah.
11 INSPECTOR PIERUCCHI: That one [REDACTED]
12 [REDACTED] : Yeah.
13 INSPECTOR PIERUCCHI: When you [REDACTED] saw
14 that one [REDACTED] what did you see? Who was that one
15 [REDACTED]
16 [REDACTED] : [REDACTED] was a tall [REDACTED]
17 [REDACTED]
18 INSPECTOR PIERUCCHI: [REDACTED]
19 [REDACTED] : Yeah [REDACTED]
20 INSPECTOR PIERUCCHI: Yeah [REDACTED]
21 [REDACTED]
22 [REDACTED] : [REDACTED] face you know I really seen
23 [REDACTED] face.
24 INSPECTOR PIERUCCHI: You did.
25 [REDACTED] : Yeah.

1 INSPECTOR PIERUCCHI: Okay.

2 [REDACTED] It was [REDACTED] you know

3 I'll more put [REDACTED].

4 INSPECTOR PIERUCCHI: Okay what was [REDACTED]

5 wearing?

6 [REDACTED]: [REDACTED] was wearing a black sweat...a

7 shirt. I mean I'm not sure if it was [REDACTED] or not.

8 INSPECTOR PIERUCCHI: Okay I know but...but

9 this is the [REDACTED] you saw right?

10 [REDACTED]: Yeah.

11 INSPECTOR PIERUCCHI: Okay.

12 [REDACTED]: So we got scared we back down.

13 INSPECTOR PIERUCCHI: Well wait a minute.

14 You...your looking at this [REDACTED] you saw [REDACTED] face.

15 [REDACTED]: Yeah because we.

16 INSPECTOR PIERUCCHI: Tell me a little bit

17 about [REDACTED] face.

18 [REDACTED]: Like.

19 INSPECTOR PIERUCCHI: You hungry.

20 [REDACTED]: On [REDACTED] hair.

21 INSPECTOR PIERUCCHI: [REDACTED] had lines in [REDACTED]

22 hair.

23 [REDACTED]: Yeah kind of this color I mean.

24 INSPECTOR PIERUCCHI: Kind of what color?

25 [REDACTED]: This color right here.

1 INSPECTOR PIERUCCHI: Kind of like a [REDACTED]
2 [REDACTED].
3 [REDACTED]: Yeah...yeah [REDACTED] had like [REDACTED]
4 hair was kind of like [REDACTED] on the sides you could
5 see here was [REDACTED] and like that]
6 you know [unintelligible] [REDACTED] painted it.
7 INSPECTOR PIERUCCHI: [REDACTED] painted it or [REDACTED]
8 color it or something.
9 [REDACTED]: Yeah.
10 INSPECTOR PIERUCCHI: Kind of like a [REDACTED]
11 [REDACTED].
12 [REDACTED]: Yeah.
13 INSPECTOR PIERUCCHI: [REDACTED] in [REDACTED] hair.
14 [REDACTED]: Yeah.
15 INSPECTOR PIERUCCHI: Okay [REDACTED] face...how's
16 [REDACTED] face?
17 [REDACTED]: [Unintelligible].
18 INSPECTOR PIERUCCHI: All right so you saw
19 [REDACTED] face. What was [REDACTED] wearing again?
20 [REDACTED]: Black shirt.
21 INSPECTOR PIERUCCHI: Black shirt how about
22 you know pants.
23 [REDACTED] I didn't look.
24 INSPECTOR PIERUCCHI: You didn't look.
25 [REDACTED] I didn't pay attention.

1 INSPECTOR PIERUCCHI: Anything else
2 distinctive about this [REDACTED]
3 [REDACTED] No [REDACTED] face was like [REDACTED]
4 [REDACTED] and [REDACTED] was big.
5 INSPECTOR PIERUCCHI: [REDACTED] was big like what
6 do you mean a [REDACTED] or.
7 [REDACTED] No...no...no [REDACTED] like [REDACTED] would be
8 this size right here. [REDACTED] maybe your
9 size you know [REDACTED] was like tall.
10 INSPECTOR PIERUCCHI: Okay a tall [REDACTED] about
11 how tall?
12 [REDACTED] I would say maybe [REDACTED].
13 INSPECTOR PIERUCCHI: [REDACTED].
14 [REDACTED] Yeah.
15 INSPECTOR PIERUCCHI: Okay [REDACTED] wearing
16 black...a black shirt.
17 [REDACTED] Yeah.
18 INSPECTOR PIERUCCHI: Was it a...a
19 sweatshirt?
20 [REDACTED] No it was a t-shirt.
21 INSPECTOR PIERUCCHI: Just a t-shirt okay
22 all right. So now here's the thing you ran up here
23 with this [REDACTED] who says [REDACTED] got shot. This is
24 [REDACTED] right?
25 [REDACTED] Yeah...yeah [REDACTED] did get shot on

1 [REDACTED] leg.

2 INSPECTOR PIERUCCHI: Okay was [REDACTED] bleeding?

3 [REDACTED] No because of the shoe...like you
4 could see the shoe [unintelligible].

5 INSPECTOR PIERUCCHI: All right so you [REDACTED]
6 went up here and you saw this [REDACTED] in this parking
7 lot.

8 [REDACTED] Yeah then ran down.

9 INSPECTOR PIERUCCHI: And then you ran
10 down.

11 [REDACTED] Yeah and.

12 INSPECTOR PIERUCCHI: Okay and that's when
13 the police stopped you.

14 [REDACTED] Yeah they were coming down with
15 the guns and they told us to lie down.

16 INSPECTOR PIERUCCHI: Okay let's go back
17 here for a little bit okay. You said you got

18 [REDACTED]

19 [REDACTED] Yeah [REDACTED] was right here.

20 INSPECTOR PIERUCCHI: [REDACTED] was hanging out
21 with you in front of the Roaring Twenties.

22 [REDACTED] Yeah.

23 INSPECTOR PIERUCCHI: Okay.

24 [REDACTED] Then [REDACTED] went there to Columbus
25 [REDACTED] was standing on Columbus I guess or whatever [REDACTED]

1 was doing and when that shooting happened.

2 INSPECTOR PIERUCCHI: Yeah.

3 [REDACTED] [REDACTED] was there.

4 INSPECTOR PIERUCCHI: The shooting
5 happened...so [REDACTED] came down here and you [REDACTED] met.

6 Did [REDACTED] introduce you [REDACTED] or did.

7 [REDACTED] No...no because when [REDACTED] was
8 running down.

9 INSPECTOR PIERUCCHI: Ah ha.

10 [REDACTED] [REDACTED] was running down.

11 INSPECTOR PIERUCCHI: Yeah.

12 [REDACTED] And [REDACTED] was yelling I got shot I
13 got shot. You know I offered [REDACTED] to take [REDACTED] to
14 the hospital.

15 INSPECTOR PIERUCCHI: Right there.

16 [REDACTED] Yeah.

17 INSPECTOR PIERUCCHI: Okay but prior to
18 that you [REDACTED] had met.

19 [REDACTED] Yeah...yeah.

20 INSPECTOR PIERUCCHI: How...how much prior to
21 that?

22 [REDACTED] Probably like twenty minutes
23 before or a half hour.

24 INSPECTOR PIERUCCHI: What was [REDACTED] doing?

25 [REDACTED] [REDACTED] was just walking around

1 trying to [REDACTED].

2 INSPECTOR PIERUCCHI: That's it.

3 [REDACTED] Yeah.

4 INSPECTOR PIERUCCHI: Was [REDACTED] with anybody?

5 [REDACTED] I'm not sure. There was a lot
6 of people I really can't tell you but.

7 INSPECTOR PIERUCCHI: There was a lot of
8 people.

9 [REDACTED] Yeah.

10 INSPECTOR PIERUCCHI: Was [REDACTED] hanging out?
11 Was this [REDACTED] hanging out with a bunch of
12 people?

13 [REDACTED] No well I don't know cause when
14 [REDACTED] was standing by us.

15 INSPECTOR PIERUCCHI: Yeah.

16 [REDACTED] [REDACTED] was by [REDACTED].

17 INSPECTOR PIERUCCHI: Okay.

18 [REDACTED] [REDACTED] wasn't with other people.

19 INSPECTOR PIERUCCHI: So twenty
20 minutes...thirty minutes prior to anything happening
21 [REDACTED] walking around.

22 [REDACTED] Yeah.

23 INSPECTOR PIERUCCHI: [REDACTED] alone.

24 [REDACTED] Yeah [REDACTED] was just like trying to
25 [REDACTED].

1 INSPECTOR PIERUCCHI: Trying to [REDACTED]
2 [REDACTED].
3 [REDACTED] Yeah [REDACTED] was like trying to talk
4 to [REDACTED].
5 INSPECTOR PIERUCCHI: Okay.
6 [REDACTED] And we were talking to [REDACTED] for
7 a little bit you know.
8 INSPECTOR PIERUCCHI: What was [REDACTED] saying
9 just kind of talking?
10 [REDACTED] [Unintelligible] look at that
11 or that [unintelligible] some stuff like that.
12 INSPECTOR PIERUCCHI: Okay.
13 [REDACTED] And [REDACTED] walked up to [REDACTED]
14 [unintelligible] twenty minute later half hour
15 later then the shooting happened.
16 INSPECTOR PIERUCCHI: All right so [REDACTED]
17 hanging out here and [REDACTED] walks up. Twenty minutes
18 after [REDACTED] left.
19 [REDACTED] Ah ha a half hour.
20 INSPECTOR PIERUCCHI: About half hour after
21 you left.
22 [REDACTED] And we were chilling right
23 here.
24 INSPECTOR PIERUCCHI: And you and [REDACTED] were
25 chilling [REDACTED] [REDACTED]

1 [REDACTED] Yeah.

2 INSPECTOR PIERUCCHI: Okay you [REDACTED] are
3 chilling right here and then all of the sudden what
4 happens?

5 [REDACTED] Pow pow pow shooting

6 INSPECTOR PIERUCCHI: How many shots.

7 [REDACTED] About five...six four I'm not
8 sure...no...no I think like five or six.

9 INSPECTOR PIERUCCHI: Okay.

10 [REDACTED] I remember like when they first
11 like when they started shooting we thought it was a
12 firework.

13 INSPECTOR PIERUCCHI: Ah ha.

14 [REDACTED] You know and like firework and
15 everybody started running from Columbus to Broadway
16 so I started running.

17 INSPECTOR PIERUCCHI: So people started
18 running down this way.

19 [REDACTED] Running this way.

20 INSPECTOR PIERUCCHI: And oh around where
21 you [REDACTED] were.

22 [REDACTED] There was a lot of people on
23 that corner.

24 INSPECTOR PIERUCCHI: Ah ha.

25 [REDACTED] We just ran to Broadway.

1 INSPECTOR PIERUCCHI: They just ran
2 eastbound on Broadway.

3 [REDACTED] Yeah.

4 INSPECTOR PIERUCCHI: East toward the
5 ah...the Bay.

6 [REDACTED] Yeah.

7 INSPECTOR PIERUCCHI: Okay so here's
8 [REDACTED] comes around the corner. Was [REDACTED] like
9 ahead of everybody or was [REDACTED] after all the crowd.

10 [REDACTED] [REDACTED] was running with everybody.

11 INSPECTOR PIERUCCHI: [REDACTED] was running with
12 everybody.

13 [REDACTED] Yeah.

14 INSPECTOR PIERUCCHI: And all of the sudden
15 [REDACTED] stops here and sees you and what happens.

16 [REDACTED] No [REDACTED] was still running you
17 know [REDACTED] was saying yelling I got shot I got shot
18 you know.

19 INSPECTOR PIERUCCHI: Was [REDACTED] limping?

20 [REDACTED] Yeah.

21 INSPECTOR PIERUCCHI: What was [REDACTED] doing?

22 [REDACTED] [REDACTED] was hell a...[REDACTED]

23 [unintelligible] limping cause it was burning in
24 [REDACTED] leg I guess [unintelligible] [REDACTED] got shot.

25 INSPECTOR PIERUCCHI: Oh.

1 [REDACTED] Cause I guess the shoe saved
2 [REDACTED] li... [REDACTED] leg.

3 INSPECTOR PIERUCCHI: Okay.

4 [REDACTED] Yeah and ah [REDACTED] was limping
5 pretty hard so I...I was like come on come on you
6 know I'll take you through the alley to take you to
7 my car and go to the hospital.

8 INSPECTOR PIERUCCHI: And your car was
9 parked where?

10 [REDACTED] You see this alley?

11 INSPECTOR PIERUCCHI: This is the alley
12 behind...this is the alley behind off of Grant.

13 [REDACTED] Okay then my car was parked
14 right here.

15 INSPECTOR PIERUCCHI: You're on Grant
16 Avenue right next to the alley.

17 [REDACTED] Yeah.

18 INSPECTOR PIERUCCHI: Okay so you were
19 going to take [REDACTED] how all the way around here...go
20 down here and go down here to your car.

21 [REDACTED] Yeah [unintelligible] my car
22 because you know the shooting happened right here
23 and I didn't want to go that way you know.

24 INSPECTOR PIERUCCHI: All right so you see
25 this [REDACTED] who you label number four.

1 [REDACTED] Ah ha.

2 INSPECTOR PIERUCCHI: Big [REDACTED] wearing a
3 black t-shirt with ah hair that was colored kind of
4 [REDACTED].

5 [REDACTED] [REDACTED].

6 INSPECTOR PIERUCCHI: Or was it all like
7 that or was it just.

8 [REDACTED] No just some of that.

9 INSPECTOR PIERUCCHI: Just some of it okay
10 or highlights type of thing.

11 [REDACTED] Yeah.

12 INSPECTOR PIERUCCHI: Okay and then you
13 thought that that was the [REDACTED] Why...why did you
14 think that that was [REDACTED]

15 [REDACTED] Because [REDACTED] [REDACTED] [REDACTED]
16 [REDACTED]

17 INSPECTOR PIERUCCHI: Yeah.

18 [REDACTED] That [REDACTED] was like yelling oh I
19 think that's [REDACTED] ...that's [REDACTED].

20 INSPECTOR PIERUCCHI: Okay.

21 [REDACTED] You know so I got scared.

22 INSPECTOR PIERUCCHI: I think that's [REDACTED]
23 that's [REDACTED] and [REDACTED] pointing over to that [REDACTED] that.

24 [REDACTED] Yeah.

25 INSPECTOR PIERUCCHI: [REDACTED] you were both

1 looking at the same [REDACTED] now?

2 [REDACTED] Yeah.

3 INSPECTOR PIERUCCHI: And so what did you

4 [REDACTED] do turn around and go back?

5 [REDACTED] Yeah we ran down.

6 INSPECTOR PIERUCCHI: All right what

7 happened to this [REDACTED]

8 [REDACTED] The police came we were lying
9 down on the floor because we were running down.

10 INSPECTOR PIERUCCHI: Ah ha.

11 [REDACTED] We were here and

12 [unintelligible] officers the [REDACTED] over there...the
13 [REDACTED] over there and they didn't listen.

14 INSPECTOR PIERUCCHI: Okay you were on the
15 ground here and you were telling the officer that
16 the [REDACTED] was in the parking lot.

17 [REDACTED] Yeah.

18 INSPECTOR PIERUCCHI: Did you actually say
19 in the parking lot?

20 [REDACTED] Yeah.

21 INSPECTOR PIERUCCHI: Okay [REDACTED] right.

22 [REDACTED] Yes.

23 INSPECTOR PIERUCCHI: [REDACTED] when...when you
24 used to hang out with [REDACTED] you used to hang
25 out just kind of relax [REDACTED]

1 [REDACTED]
2 [REDACTED] [REDACTED]
3 [REDACTED]
4 This [REDACTED] what do you think?
5 [REDACTED] I mean you know everybody wears
6 baggy.
7 INSPECTOR PIERUCCHI: Yeah.
8 [REDACTED] [REDACTED]
9 INSPECTOR PIERUCCHI: Okay.
10 [REDACTED] I mean [REDACTED] doesn't like I don't
11 know if [REDACTED] bangs you know. I mean [REDACTED] listening to
12 the cause the cops I guess know [REDACTED].
13 INSPECTOR PIERUCCHI: Ah ha what did you
14 hear?
15 [REDACTED] Like the cop was talking to
16 [REDACTED]. I guess he knew [REDACTED] or something.
17 INSPECTOR PIERUCCHI: Ah ha.
18 [REDACTED] You know I guess [REDACTED]
19 [REDACTED]
20 INSPECTOR PIERUCCHI: Yeah.
21 [REDACTED] [REDACTED]
22 INSPECTOR PIERUCCHI: [REDACTED]
23 [REDACTED] [REDACTED]
24 INSPECTOR PIERUCCHI: Oh okay.
25 [REDACTED] Yeah so they were talking and I

1 wasn't really like paying attention to it cause I'm
2 in handcuffs.

3 INSPECTOR PIERUCCHI: Okay.

4 [REDACTED] And I was more paying attention
5 to myself [unintelligible]. I ran and I got
6 handcuffed and now I'm in jail.

7 INSPECTOR PIERUCCHI: Well you understand
8 why right?

9 [REDACTED] Yeah but like you know like
10 they told us we were supposed to leave about five
11 hours ago at 6:00 you know they took all everything
12 for us. They're testing me they did everything.

13 INSPECTOR PIERUCCHI: But you still hadn't
14 spoken to us.

15 [REDACTED] Yeah cause I had to work [REDACTED]

16 [REDACTED]

17 INSPECTOR PIERUCCHI: Right I know but this
18 is you know like a big deal [REDACTED].

19 [REDACTED] I know I'm here trying to help
20 you know.

21 INSPECTOR PIERUCCHI: Okay no I
22 understand...I understand. So you only know [REDACTED] from
23 what you saw thirty minutes before the shooting.

24 [REDACTED] Yeah.

25 INSPECTOR PIERUCCHI: Just the [REDACTED] hey

1 what's up?

2 [REDACTED] Yeah.

3 INSPECTOR PIERUCCHI: How about the [REDACTED]

4 ran with?

5 [REDACTED] Who.

6 INSPECTOR PIERUCCHI: [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] The [REDACTED] was running with.

10 INSPECTOR PIERUCCHI: No you hear the shots
11 and everybody ran down this way you said.

12 [REDACTED] I mean there was a lot of there
13 was a lot of [REDACTED] like what I seen...I seen a lot of
14 [REDACTED] running and there was a lot of [REDACTED] you know
15 wearing baggy.

16 INSPECTOR PIERUCCHI: Any colors.

17 [REDACTED] And there was a lot of colors.

18 [Unintelligible].

19 INSPECTOR PIERUCCHI: Do...do you remember if
20 there was a bunch of people wearing the same type
21 of colors?

22 [REDACTED] No just like ah...I mean you know
23 like there was people wearing black there was
24 people wearing white there was people wearing red
25 you know there was people wearing blue you know.

1 There was a lot of...lot of people running.

2 INSPECTOR PIERUCCHI: All right now if we
3 were to go back to your car would we be allowed to
4 go and check it out?

5 [REDACTED] Yeah.

6 INSPECTOR PIERUCCHI: You're cool with that
7 and you need...you need to sign a permission to
8 search and all that.

9 [REDACTED] Of course.

10 INSPECTOR PIERUCCHI: Yeah.

11 [REDACTED] [REDACTED]

12 INSPECTOR PIERUCCHI: Well I'm not looking

13 [REDACTED]

14 [REDACTED] [REDACTED]

15 [unintelligible] you can search it.

16 INSPECTOR PIERUCCHI: We wouldn't find any
17 contraband or any crazy stuff in there?

18 [REDACTED] I give you permission.

19 INSPECTOR PIERUCCHI: You give me
20 permission to go okay.

21 [REDACTED] I mean.

22 INSPECTOR: Sorry.

23 INSPECTOR: That's all right.

24 INSPECTOR ENGLER: Do you have your car keys?

25 INSPECTOR PIERUCCHI: [REDACTED] gave us

1 permission to check [REDACTED] car.

2 INSPECTOR: Well [REDACTED]

3 INSPECTOR PIERUCCHI: [REDACTED] gave
4 us permission.

5 INSPECTOR ENGLER: That's nice.

6 INSPECTOR ENGLER: Where is your car um at so
7 we can get this done fast?

8 INSPECTOR: You're good at that just keep
9 answering the questions you know.

10 INSPECTOR: [Unintelligible] the car it's
11 right off of ah Fremont [unintelligible] or Fresno.

12 INSPECTOR ENGLER: Is there anything in there
13 you want to tell us about that you're concerned
14 about or?

15 [REDACTED] [REDACTED]

16 INSPECTOR ENGLER: [REDACTED]

17 [REDACTED] [Unintelligible].

18 INSPECTOR ENGLER: [REDACTED]

19 [REDACTED]

20 [REDACTED] Yeah [REDACTED]

21 [REDACTED]

22 INSPECTOR ENGLER: Okay what color...what color
23 is the car?

24 INSPECTOR PIERUCCHI: [REDACTED].

25 [REDACTED] [REDACTED].

1 INSPECTOR ENGLER: Is it in nice shape or bad
2 shape?

3 [REDACTED] [REDACTED]
4 [REDACTED].

5 INSPECTOR ENGLER: Do you know the license
6 plate?

7 [REDACTED] No.

8 INSPECTOR ENGLER: No. Is it registered to
9 you?

10 [REDACTED] Yeah.

11 INSPECTOR ENGLER: Okay.

12 [REDACTED] [REDACTED]
13 [REDACTED].

14 INSPECTOR ENGLER: Ah ha.

15 [REDACTED] [REDACTED]
16 [REDACTED]
17 [REDACTED]

18 INSPECTOR ENGLER: [REDACTED]

19 [REDACTED] [REDACTED]

20 INSPECTOR ENGLER: When we talk we're going
21 to have one of our other partners just go take a
22 look inside real quick.

23 INSPECTOR PIERUCCHI: Even though we could
24 do it I just wanted to see if you're cool.

25 [REDACTED] I have nothing to hide.

1 [Unintelligible].

2 INSPECTOR PIERUCCHI: [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 INSP PIERRUCHI: [REDACTED]

11 [REDACTED]

12 [REDACTED] No see if I was doing anything
13 wrong like I have something in my car. I wouldn't
14 even tell you about my car you know. I wouldn't
15 even like tell you there's any car over there. You
16 know I didn't do anything wrong. I just want to get
17 out of here.

18 INSPECTOR PIERUCCHI: Okay well you know
19 hey we have to investigate you know.

20 [REDACTED] [Unintelligible].

21 INSPECTOR PIERUCCHI: So far you're telling
22 us the truth about everything here ha.

23 INSPECTOR PIERUCCHI: You know there's
24 cameras all over the place.

25 [REDACTED] Oh yeah I know.

1 INSPECTOR PIERUCCHI: So you know.

2 INSPECTOR ENGLER: Sorry to interrupt. This
3 is Inspector Mack. Show him which key gets him in.

4 [REDACTED] It's...it's the big one.

5 INSPECTOR MACK: Okay. That's why sometimes
6 with a [REDACTED]

7 [REDACTED]

8 [REDACTED] [Unintelligible].

9 INSPECTOR PIERUCCHI: Yeah when we're done
10 here we'll see what happens okay all right.

11 [REDACTED]: [Unintelligible] remember the
12 car.

13 INSPECTOR PIERUCCHI: [REDACTED] good [REDACTED]
14 figure it out just go ahead and sign that just
15 because that you wrote on there it's yours and you
16 can just put your name in the box just print it.

17 We need your signature. All right so this [REDACTED]

18 [REDACTED] while you [REDACTED] are running up the hill
19 what's [REDACTED] saying to you besides I got shot...I got
20 shot.

21 [REDACTED] That's all [REDACTED] saying [REDACTED] got
22 shot.

23 INSPECTOR PIERUCCHI: You know it just...you
24 meet some [REDACTED] at the corner or in front of the
25 Roaring Twenties and then all of the sudden the [REDACTED]

1 walks around and then you give the [REDACTED] you know [REDACTED]
2 comes back saying I got shot...I got shot. Instead
3 of taking [REDACTED] into the Roaring Twenties so [REDACTED] out
4 of the way you [REDACTED] run up a hill and [REDACTED] got shot
5 in the leg. You know that's a hill.

6 [REDACTED] Yeah.

7 INSPECTOR PIERUCCHI: That's kind of funny
8 you know what I mean you know why would that be
9 that you're running up a hill instead of just
10 running into [unintelligible] because you know
11 [REDACTED] going to let you in.

12 [REDACTED] Yeah but you know at that
13 moment it was just so fast I didn't really think
14 about it. I didn't think about...the only thing I
15 thought about taking [REDACTED] in my car and taking [REDACTED]
16 to the hospital. You know I didn't think even to
17 [hide] myself.

18 INSPECTOR PIERUCCHI: But you know it's...it
19 just it's kind of mindboggling though because
20 here's the thing with that here you are right. The
21 car is all the way over here. You [REDACTED] are here.
22 Look at how far that is. You're going to walk all
23 the way up this hill and come this way.
24 That's...instead of just diving in at one of these
25 places especially with a [REDACTED] that you know. I

1 don't know to me it's just kind of funny you see
2 what I'm saying.

3 [REDACTED] Yeah it is I wish I did
4 [unintelligible].

5 INSPECTOR PIERUCCHI: Wouldn't you ask the
6 same question?

7 INSPECTOR ENGLER: Well let me ask you this
8 is there a chance...is there a chance that you're
9 hanging out over here at one point and time because
10 we've got an awful lot of witnesses that came down.
11 That's why it took us so long to talk to you and
12 people look at you and say yeah.

13 [REDACTED] Say yeah what?

14 INSPECTOR ENGLER: [REDACTED] was hanging out [REDACTED] was
15 over there in front of ah this place by the
16 taqueria the gentlemen's club there. So at some
17 point were you going back and forth between the two
18 places? Were you hanging out over there at one
19 time?

20 [REDACTED] When.

21 INSPECTOR ENGLER: Tonight.

22 [REDACTED] I went to the pizza place.

23 INSPECTOR ENGLER: Okay so you went to the
24 pizza place that was right next door to where the
25 shooting happened correct.

1 [REDACTED] Yeah but that was before the
2 shooting.

3 INSPECTOR: Okay why don't we start there?
4 Why don't we back all the way up to when you were
5 at the pizza place and tell us the whole thing
6 because the way you told the story before you were
7 only over here at the Roaring Twenties number one
8 right. But in reality you were also over here
9 number two where the shooting took place because
10 the pizza place is right next-door. Why don't you
11 tell us about what time you went over there and
12 we'll start from there?

13 [REDACTED] I was there at 10:00 and I
14 walked [unintelligible] Broadway. Like first I
15 came...I came down and got with [REDACTED] and walked
16 around Broadway you know a little bit. Went to the
17 pizza place but I didn't even eat. I know the [REDACTED]
18 [unintelligible], which [REDACTED] and
19 I went talk to say hi to [REDACTED] to. After that there
20 was a [unintelligible]. I went there to there to
21 see if my friend [REDACTED] [was working there].
22 [Unintelligible] eat there and I went back.

23 INSPECTOR ENGLER: So about what time were
24 you there at the pizza place?

25 [REDACTED] I don't know.

1 INSPECTOR ENGLER: If you had to guess.

2 [REDACTED] At the pizza place I would say
3 like 11:30.

4 INSPECTOR ENGLER: Okay so the...the
5 shooting...the shooting...the shots other people said
6 it happened right around 1:30.

7 [REDACTED] Okay.

8 INSPECTOR ENGLER: Okay so if 1:30 is when
9 the shots happened is it still 11:30 or is it maybe
10 closer to 1:00 or.

11 [REDACTED] I didn't [unintelligible] about
12 the time.

13 INSPECTOR ENGLER: I'm just telling you
14 [unintelligible].

15 [REDACTED]: I'm just telling you like
16 what...what time I think cause I wasn't thinking
17 about I wasn't looking at my phone every five
18 seconds. [Unintelligible] what time it is you know
19 I was just giving you answers.

20 INSPECTOR ENGLER: No...no...no and I'm not
21 saying you're not being honest.

22 [REDACTED] I'm just giving you answers.

23 INSPECTOR ENGLER: What I'm trying to do is
24 give you a baseline.

25 [REDACTED] Yeah.

1 INSPECTOR ENGLER: So the baseline is at 1:30
2 the shooting happened. Where were you...at what time
3 do you think 11:30.

4 [REDACTED] All I know man when the
5 shooting was happening I was at Roaring Twenties in
6 front of Roaring Twenties. That's all I know. I
7 have witnesses there.

8 INSPECTOR ENGLER: That's fine.

9 [REDACTED] And I was the camera is right
10 there you know.

11 INSPECTOR ENGLER: What happened up there at
12 the pizza parlor earlier when you were there?

13 [REDACTED] What happened?

14 INSPECTOR ENGLER: Was there...yeah was there
15 some argument or fight?

16 [REDACTED] No I didn't see any fights.

17 INSPECTOR ENGLER: Ah ha.

18 [REDACTED] I didn't see any fights.

19 INSPECTOR ENGLER: Ah ha. Of the [REDACTED] that
20 you know I mean you used to hang out here all the
21 time and you do know people correct?

22 [REDACTED] Yes I know a lot of...I didn't
23 know those [REDACTED] here. I know a lot of the workers
24 on Broadway.

25 INSPECTOR ENGLER: You knew some of the [REDACTED]

1 that were there at the pizza place. You knew the
2 [REDACTED] inside. Did you know any of the [REDACTED] outside?

3 [REDACTED] No.

4 INSPECTOR ENGLER: Hanging out.

5 [REDACTED] No.

6 INSPECTOR ENGLER: [REDACTED]

7 [REDACTED] I didn't know any of em.

8 INSPECTOR ENGLER: Okay but you recognized

9 [REDACTED] correct?

10 [REDACTED] Yeah they were

11 [unintelligible].

12 INSPECTOR ENGLER: Okay.

13 [REDACTED] But I didn't know any of them.

14 INSPECTOR ENGLER: Um did they stop you or

15 [REDACTED].

16 [REDACTED] No.

17 INSPECTOR ENGLER: None of that tonight why
not?

18 [REDACTED]: They were drinking trying to

19 [REDACTED] and I was just [unintelligible] you
know we were hanging out with the [REDACTED]

20 [REDACTED] you know cause they're my friends.

21 INSPECTOR ENGLER: Ah ha.

22 [REDACTED] And I used to go over there all
23 the time.

1 INSPECTOR ENGLER: Ah ha.

2 [REDACTED] I used to chill with them.

3 INSPECTOR ENGLER: Ah ha.

4 [REDACTED] So I was just hanging out. I

5 wasn't there looking for trouble. I wasn't there

6 looking for to kill somebody or to die. I was just

7 going there to have fun that's it and I don't

8 really know what time I was there or what time it

9 happened I really don't know. It happened so fast

10 and I really got scared and ah I'm honest I wish I

11 wasn't there [unintelligible] Roaring Twenties.

12 INSPECTOR ENGLER: Oh I'm sure.

13 [REDACTED] You know like right now I think

14 about [unintelligible].

15 INSPECTOR ENGLER: Ah ha.

16 [REDACTED] I wouldn't help anybody I would

17 have been home I would be at work right now.

18 INSPECTOR ENGLER: Ah ha.

19 [REDACTED] And like I said there's proof

20 there's cameras in front of Roaring Twenties.

21 INSPECTOR ENGLER: Ah ha.

22 [REDACTED] And everything.

23 INSPECTOR ENGLER: Ah ha there's also cameras

24 over there.

25 [REDACTED] Yes.

1 INSPECTOR ENGLER: So.

2 [REDACTED] And there's cameras in the
3 alleys.

4 INSPECTOR ENGLER: Right but I'm more
5 concerned about what happened over here at the
6 pizza parlor and there's also cameras over there.
7 Is there anything that you're saying that the
8 cameras will show...you say 11:30 you were over here.
9 Are the cameras going to show something
10 differently? Could it be closer to 1:00?

11 [REDACTED] I don't know.

12 INSPECTOR ENGLER: It's important.

13 [REDACTED] [Unintelligible] maybe...maybe.

14 INSPECTOR ENGLER: I want you...I want you to
15 stop...stop.

16 [REDACTED]: Maybe around 12:00 you know
17 maybe around 11:30 maybe 11:40 you know I'm not
18 really sure about the time exactly you know. I was
19 going back and forth [unintelligible].

20 INSPECTOR ENGLER: Who...who were you with?

21 [REDACTED] I was with my friend [REDACTED]

22 [We walked back and forth] two or three times.

23 INSPECTOR ENGLER: How come.

24 [REDACTED]: How come just to [REDACTED].

25 INSPECTOR ENGLER: Do you know any of the

1 [REDACTED] walking around?

2 [REDACTED] [Unintelligible].

3 INSPECTOR ENGLER: How about [REDACTED] ... [REDACTED]

4 [REDACTED]

5 [REDACTED] [REDACTED].

6 INSPECTOR ENGLER: [REDACTED] get with any
7 [REDACTED]?

8 [REDACTED] No.

9 INSPECTOR ENGLER: Did [REDACTED] have any drugs
10 on [REDACTED]?

11 [REDACTED] No.

12 INSPECTOR ENGLER: Did you?

13 [REDACTED] No.

14 INSPECTOR ENGLER: Is there any in your car?

15 [REDACTED] No.

16 INSPECTOR ENGLER: Are there any weapons in
17 your car?

18 [REDACTED] No.

19 INSPECTOR ENGLER: Okay when the shooting
20 occurs did you see any...any part of it?

21 [REDACTED] No cause it was on Columbus and
22 I was on Broadway.

23 INSPECTOR ENGLER: Did you see any police
24 officers with guns?

25 [REDACTED] I seen a lot of police officers

1 running to Columbus.

2 INSPECTOR ENGLER But did you see any police
3 officers fire a gun? Did you see any police
4 officers with guns in their hands?

5 [REDACTED] I seen um yeah they were
6 holding [unintelligible].

7 INSPECTOR ENGLER: Okay did you see any
8 police officers with their guns drawn?

9 [REDACTED] You mean like pointing?

10 INSPECTOR ENGLER: Yeah.

11 [REDACTED] [Unintelligible].

12 INSPECTOR ENGLER: Okay did you see anybody
13 ah get out of like an unmarked vehicle and you
14 weren't sure who they were and they had guns and
15 they were firing?

16 [REDACTED] No sir.

17 INSPECTOR ENGLER: Okay at any time after the
18 shooting occurred after you heard the shots at any
19 time did you go past the corner of Columbus and
20 Broadway towards Grand.

21 [REDACTED] [Unintelligible].

22 INSPECTOR: No time. So what your saying
23 is when you heard the shots.

24 [REDACTED] [Unintelligible].

25 INSPECTOR ENGLER: And [REDACTED] ran down you

1 went down Romolo and up Romolo and that's where you
2 were stopped?

3 [REDACTED] Yes sir.

4 INSPECTOR ENGLER: That's accurate.

5 [REDACTED] Yes sir.

6 INSPECTOR ENGLER: Nowhere else.

7 [REDACTED] Nowhere else.

8 INSPECTOR ENGLER: Okay.

9 INSPECTOR: Help me understand I'm a little
10 confused um [REDACTED] you met about a year and a half
11 ago.

12 [REDACTED] Yes sir.

13 INSPECTOR: And [REDACTED] about a year and half
14 ago introduced you to [REDACTED]

15 [REDACTED] No...no...no I met [REDACTED] today.

16 INSPECTOR: Okay [REDACTED]

17 [REDACTED] No [REDACTED]

18 INSPECTOR: [REDACTED]

19 [REDACTED]

20 [REDACTED] I don't know I don't know

21 [REDACTED] I don't know. I met [REDACTED] today I
22 didn't get into that details with [REDACTED]

23 [unintelligible].

24 INSPECTOR: How would you not know?

25 [REDACTED] Because if I just ran

1 [unintelligible] [REDACTED] not going to tell me [REDACTED]
2 secrets of [REDACTED] life.

3 INSPECTOR: Why is [REDACTED] even going to talk to
4 you if that's the case?

5 [REDACTED] Well you know when people you
6 know people on Broadway you know walking by you
7 know people joke around. There's a lot of people
8 joking around. Not a lot of people you know just
9 like I don't know some how like opens a
10 conversation you know and that's [unintelligible].

11 INSPECTOR: So what...what started this fight
12 then?

13 [REDACTED] I don't know if I knew I would
14 tell you. [Unintelligible]. If I knew what
15 happened I would help you cause I know people who
16 got shot.

17 INSPECTOR: Okay so someone that you've
18 only known for a half an hour you don't know
19 anything about [REDACTED]. [REDACTED] was just hanging out with
20 you. You've been around long enough to know who's
21 involved in what. [REDACTED]

22 [REDACTED]
23 [REDACTED] I don't think [REDACTED] banging. I
24 mean the way [REDACTED] look the way [REDACTED] talks I don't think
25 [REDACTED] bangs.

1 INSPECTOR: How many people were up there
2 [unintelligible] hang out with [REDACTED]

3 [REDACTED] Really none.

4 INSPECTOR: You didn't know any of the
5 people there.

6 [REDACTED] Not at all.

7 INSPECTOR: You didn't know any of the
8 people around that area.

9 [REDACTED] This probably was different
10 because there was a lot of people now it's like
11 nobody.

12 INSPECTOR: So the...the people tonight that
13 were up there you didn't know 'em any of them.

14 [REDACTED] No.

15 INSPECTOR: Why is it that some of them
16 recognized you then?

17 [REDACTED] Recognized me I don't know...I
18 don't know.

19 INSPECTOR: Okay.

20 [REDACTED] I can tell you there's a lot of
21 workers that recognize me.

22 INSPECTOR: You're at a see you're at the
23 what the name of the club you were at?

24 [REDACTED]: Roaring Twenties.

25 INSPECTORS: Roaring Twenties could you

1 hear...how many gunshots?

2 [REDACTED] Five...six.

3 INSPECTOR: About what time was that?

4 [REDACTED] I really don't know what time
5 but I know it was late. Like I...I would say 1:00
6 cause the stores...everybody start closing
7 [unintelligible]. You know [unintelligible]
8 everybody started closing.

9 INSPECTOR: What did you do when you heard
10 the ah.

11 [REDACTED] Gunshots.

12 INSPECTOR: Gunshots.

13 [REDACTED] Well at first in the beginning
14 I really thought it was fireworks you know so I
15 didn't worry 'til I saw everybody start running you
16 know and that's when I started running too.

17 INSPECTOR: Okay so what were the people
18 running from though?

19 [REDACTED] From Columbus to Broadway.

20 INSPECTOR: They were running up the hill.

21 [REDACTED] No...no they were running
22 down...down from Columbus to Broadway cause I guess
23 the shots...the gunfire was here in this area so
24 everybody [unintelligible].

25 INSPECTOR: How many people were running.

1 [REDACTED]: A lot of people running.

2 INSPECTOR: How many is a lot five or six.

3 [REDACTED] No man I would say like fifty

4 thirty people everybody was running.

5 INSPECTOR: Where was [REDACTED]

6 [unintelligible]?

7 [REDACTED] Like [REDACTED] was running with them

8 too you know [REDACTED] was running [REDACTED] was limping.

9 INSPECTOR: [REDACTED] was running [REDACTED] was in the

10 front in the middle.

11 [REDACTED] Probably in the middle.

12 INSPECTOR: And [REDACTED] ran down the hill.

13 [REDACTED] Yeah [REDACTED] ran to Broadway and

14 when...when I heard [REDACTED] just got shot you know

15 [unintelligible] so I was trying to run up to my

16 car.

17 INSPECTOR: And what was [REDACTED] ah demeanor

18 when this happened?

19 [REDACTED] I got shot fuck...fuck I got

20 shot.

21 INSPECTOR: [REDACTED] pretty excited?

22 [REDACTED] No [unintelligible] like really

23 mad.

24 INSPECTOR: [Unintelligible].

25 [REDACTED] You could tell [REDACTED] was really

1 scared.

2 INSPECTOR: Where were you standing when [REDACTED]
3 came running around the corner?

4 [REDACTED] I was still standing in front
5 of Roaring Twenties.

6 INSPECTOR: Where [unintelligible] in front
7 of the club in front of the door.

8 [REDACTED] In front of the club.

9 INSPECTOR: In front of the club. Okay so
10 [REDACTED] runs past you [REDACTED] pretty excited.

11 [REDACTED] [REDACTED] wasn't excited.

12 INSPECTOR: [REDACTED] just met you.

13 [REDACTED] Oh like before the shot.

14 INSPECTOR: [REDACTED] just met you and all of the
15 sudden [REDACTED] comes to you for help.

16 [REDACTED] Ah [REDACTED] didn't come to me for
17 help. You know [REDACTED] was just running and yelling I
18 got shot...I got shot and I offered my help.

19 INSPECTOR: [Unintelligible] so there okay
20 people thirty to fifty people.

21 [REDACTED] There was a lot of people...there
22 was a lot of people.

23 INSPECTOR: Know one else helped [REDACTED].

24 You're the only one that helped [REDACTED]
25 [unintelligible]. Do you know any of the other

1 people running?

2 [REDACTED] No it was a lot of [REDACTED]. A
3 lot of [REDACTED] were screaming. There was a lot of
4 [REDACTED] running.

5 INSPECTOR PIERUCCHI: Is there anything
6 that you want to change right now that because as
7 we speak there's you know video being taken you
8 know all kinds of stuff and we're going to be
9 looking through the whole thing and listening to
10 what you're saying just to see if you know you were
11 around here hanging out with these [REDACTED] for a long
12 period of time then go down here. Maybe when the
13 shooting occurred if you were around here then
14 you're in trouble.

15 [REDACTED] Yeah I know I mean.

16 INSPECTOR PIERUCCHI: [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED] Yeah of course but I have a
20 witness [unintelligible] gunshot happened
21 [unintelligible].

22 INSPECTOR PIUERUCCHI: [Unintelligible].

23 [REDACTED] [REDACTED] I don't know
24 where's my phone.

25 INSPECTOR: Well your phone works though

1 right.

2 [REDACTED] No the phone works but it's off
3 right now.

4 INSPECTOR: Right now it's off but it works
5 okay and ah when [REDACTED] ran to you um did you call
6 anyone?

7 [REDACTED]: No.

8 INSPECTOR: Why didn't you call an
9 ambulance why didn't you call the police?

10 [REDACTED] There was a lot of police there
11 and you know that's what I should have done. At
12 least call the police or something but.

13 INSPECTOR: Well why didn't you?

14 [REDACTED] I don't know...I really don't
15 know. [REDACTED]

16 [REDACTED]
17 INSPECTOR: [REDACTED]

18 [REDACTED]
19 INSPECTOR PIERUCCHI: I don't want to
20 [unintelligible] cell phone number [REDACTED]
21 [REDACTED] and all this
22 bullshit I can't get a hold of you.

23 [REDACTED] [Unintelligible].

24 INSPECTOR PIERUCCHI: Okay that's
25 fine...that's fine. But if you have it written down

1 or something. [REDACTED]

2 [REDACTED] Is this going to be for a long
3 time?

4 INSPECTOR PIERUCCHI: We'll see I don't
5 think it's going to be extremely long.

6 [REDACTED] Ha.

7 INSPECTOR PIERUCCHI: I don't think it's
8 going to be extremely long. Just ah give me a
9 minute. Can you stay here for a minute?

10 INSPECTOR: Yeah.

11 [REDACTED] Yeah cause I really have to be
12 somewhere.

13 INSPECTOR PIERUCCHI: That's fine you know
14 we...we understand that we have to be somewhere too
15 but you know what I mean. Eat something you're
16 going to fall down [unintelligible].

17 [REDACTED] [Unintelligible] try to do good
18 things you go to jail.

19 INSPECTOR: Is that what you're trying to
20 do good things?

21 [REDACTED]: Isn't it.

22 INSPECTOR: You tell me.

23 [REDACTED]: I mean it's obvious.

24 INSPECTOR: I can't get into your head.

25 [REDACTED]: It's obviously.

1 INSPECTOR: You explain yourself so that we
2 don't...that's why we're talking to you. We can't
3 answer what's going on in your head only you can do
4 that.

5 [REDACTED] I mean it's obvious.

6 INSPECTOR: If it was obvious we wouldn't
7 be sitting here. Only person that can explain why
8 you did certain things and what went in your head
9 is you.

10 [REDACTED] I mean you guys know I didn't
11 shoot you took the test. I wasn't there when it
12 happened. [Unintelligible]. I mean
13 [unintelligible] the hospital the [REDACTED] that got
14 shot. I'm never going to Broadway again in my
15 life.

16 INSPECTOR ENGLER: How ya doing?

17 [REDACTED] Ah.

18 INSPECTOR ENGLER: Do me a favor sit up for
19 me real quick.

20 [REDACTED] : [Unintelligible].

21 INSPECTOR ENGLER: Take that stuff out. What
22 you got a couple hundred bucks on you?

23 [REDACTED] Three hundred.

24 INSPECTOR ENGLER: Three hundred bucks.
25 Three hundred bucks and maybe I don't know

1 twelve...fifteen bucks in ones. Go ahead and sit
2 down.

3 [REDACTED] Okay.

4 INSPECTOR ENGLER: [REDACTED]

5 [REDACTED] [REDACTED]
6 [REDACTED]

7 [REDACTED]

8 [REDACTED] [REDACTED]

9 INSPECTOR ENGLER: Ha.

10 [REDACTED] [REDACTED]
11 [REDACTED]

12 INSPECTOR ENGLER: Okay you've got a lot of
13 cash on you that's why I'm ask. You know that's
14 like more then a paycheck you know.

15 [REDACTED] Yeah.

16 INSPECTOR ENGLER: That's why.

17 [REDACTED] No cause this today I got paid.

18 INSPECTOR ENGLER: Okay...okay. [REDACTED]

19 [REDACTED]

20 [REDACTED] Oh yeah.

21 INSPECTOR ENGLER: Okay is your [REDACTED]
22 your name.

23 [REDACTED] Yeah.

24 INSPECTOR ENGLER: [REDACTED]

25 [REDACTED]

1 [REDACTED].

2 [REDACTED] Okay.

3 INSPECTOR ENGLER: We're just making a record
4 of everything you've got here so we're all on the
5 same page. Did you know the [REDACTED] any of the [REDACTED]
6 that got shot tonight?

7 [REDACTED] No.

8 INSPECTOR ENGLER: How do you know?

9 [REDACTED] Because I went to the hospital
10 and I seen [the] [REDACTED]

11 INSPECTOR ENGLER: Oh you did.

12 [REDACTED] Yeah.

13 INSPECTOR ENGLER: Okay who did you go
14 ahead...who did you go to the hospital with?

15 [REDACTED] The police officers.

16 INSPECTOR ENGLER: Okay did you get shot? So
17 when you went to the hos...thank you for letting me
18 look at that stuff. Um let me check you real quick
19 before you put it all back so [unintelligible]
20 things twice. Okay so you didn't ever...you...you'd
21 never seen those [REDACTED] before.

22 [REDACTED] No sir.

23 INSPECTOR ENGLER: Okay so when the shooting
24 happened did you use your phone at all?

25 [REDACTED] No.

1 INSPECTOR ENGLER: Did you get any calls
2 while the shooting was going on?

3 [REDACTED] No.

4 INSPECTOR ENGLER: Did you get any text
5 messages?

6 [REDACTED] No I ah sent text messages
7 after the shooting when I was in the alley.

8 INSPECTOR ENGLER: So what did you...who did
9 you send text messages to after the shooting while
10 you were in the alley?

11 [REDACTED] I texted my friend [REDACTED]
12 [unintelligible] I told [REDACTED] I was in the alley.

13 INSPECTOR ENGLER: So.

14 [REDACTED] [REDACTED] asked me why and I told [REDACTED]
15 I was down in handcuffs.

16 INSPECTOR ENGLER: Oh...oh okay so were
17 you...you were still able to text after the police
18 had stopped you?

19 [REDACTED] Yeah.

20 INSPECTOR ENGLER: They let you keep texting.

21 [REDACTED] Well they took the phone from
22 me...I was texting.

23 INSPECTOR ENGLER: Oh...oh that's why they took
24 the phone away from you cause you were using it to
25 text.

1 [REDACTED] Yeah.

2 INSPECTOR ENGLER: Okay what I'm going to do
3 here is I have your phone okay.

4 [REDACTED] Okay.

5 INSPECTOR ENGLER: I'm going to take a look
6 inside and as soon as I take.

7 [REDACTED] [Unintelligible] phone today.

8 INSPECTOR ENGLER: Ha I'm going to take it
9 right now then you can...you can get it back okay.
10 But for now I'm going to take it and I'm going to
11 take a look inside. After I take a look inside
12 I'll give it back to you.

13 [REDACTED] When is that?

14 INSPECTOR ENGLER: Well I can't look at it
15 right now because the power is out right. So I'm
16 going to have to get it powered back up and have
17 somebody take a look inside for me.

18 [REDACTED] Okay.

19 INSPECTOR ENGLER: Okay do you have a code or
20 something to get inside?

21 [REDACTED] No.

22 INSPECTOR ENGLER: Can I...once it's powered up
23 I'll be able to look inside.

24 [REDACTED] Yeah.

25 INSPECTOR ENGLER: Okay because [REDACTED] phone

1 number is in here right.

2 [REDACTED] Yeah.

3 INSPECTOR ENGLER: Ah is there anyone else
4 who was out there tonight that you saw when you
5 were in front of the ah taqueria or pizza place.

6 [REDACTED] No.

7 INSPECTOR ENGLER: Is there anybody else
8 whose phone numbers in here that maybe can help me?

9 [REDACTED] No.

10 INSPECTOR ENGLER: How do you...nobody.

11 [REDACTED] No.

12 INSPECTOR ENGLER: Okay.

13 [REDACTED] I was texting [REDACTED]

14 INSPECTOR ENGLER: Okay [REDACTED]

15 [REDACTED] [REDACTED]

16 INSPECTOR ENGLER: Could you spell that for
17 Inspector Pierucchi?

18 [REDACTED] [REDACTED].

19 INSPECTOR PIERUCCHI: What's [REDACTED]

20 [REDACTED] [REDACTED] should I write it
21 down.

22 INSPECTOR PIERUCCHI: [REDACTED]

23 [REDACTED] I need to write it down [REDACTED]

24 [REDACTED].

25 INSPECTOR ENGLER: Oh go ahead.

1 INSPECTOR PIERUCCHI. Finish it there. [REDACTED]
2
3 INSPECTOR PIERUCCHI. [REDACTED]
4 [REDACTED] Yeah...yeah.
5 INSPECTOR PIERUCCHI: [REDACTED]
6 [REDACTED]
7 [REDACTED] Yeah.
8 INSPECTOR PIERUCCHI: How old [REDACTED]?
9 [REDACTED] [REDACTED]
10 INSPECTOR PIERUCCHI: And [REDACTED] lives [REDACTED]
11 [REDACTED]
12 [REDACTED] Yeah.
13 INSPECTOR PIERUCCHI: What's the address?
14 [REDACTED] [REDACTED]
15 that's the address.
16 INSPECTOR PIERUCCHI: [REDACTED].
17 [REDACTED] Yeah.
18 INSPECTOR PIERUCCHI: What's the number?
19 [REDACTED] [REDACTED].
20 INSPECTOR PIERUCCHI: [REDACTED]
21 [REDACTED].
22 [REDACTED]: [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 INSPECTOR PIERUCCHI: So you...you were

1 texting [REDACTED].

2 [REDACTED] Yeah [REDACTED].

3 INSPECTOR PIERUCCHI: Did [REDACTED] text you
4 back.

5 [REDACTED] Well when.

6 INSPECTOR PIERUCCHI: Did [REDACTED] text you
7 back?

8 [REDACTED] The police...the police took my
9 phone I was texting my friend.

10 INSPECTOR PIERUCCHI: Who.

11 [REDACTED] Ah [REDACTED].

12 INSPECTOR PIERUCCHI: Okay did you text [REDACTED]
13 first?

14 [REDACTED] No I didn't text [REDACTED]. I didn't
15 text [REDACTED] till the morning when the police gave me
16 my phone back.

17 INSPECTOR PIERUCCHI: You said [REDACTED]

18 [REDACTED].

19 [REDACTED] Yeah cause I got a text message
20 from [REDACTED] over my phone and I got a text messages
21 from [REDACTED].

22 INSPECTOR PIERUCCHI: Oh.

23 [REDACTED]: [REDACTED]
24 [REDACTED] said I got arrested for
25 a shooting and my phone died.

1 INSPECTOR ENGLER: So you were going to
2 drive...so you were going to drive [REDACTED] to the
3 hospital.

4 [REDACTED] Yes.

5 INSPECTOR ENGLER: Okay what were [REDACTED]
6 injuries?

7 [REDACTED] [REDACTED] was...at first I didn't know
8 [REDACTED] said on [REDACTED] leg...shot on [REDACTED] leg.

9 INSPECTOR ENGLER: Ah ha was [REDACTED] shot in the
10 leg?

11 [REDACTED] Yeah it was in the foot right
12 here.

13 INSPECTOR: Was [REDACTED] bleeding?

14 [REDACTED] No the bullet went this way but
15 it went like this way it just ripped [REDACTED] shoe but
16 it was burning [REDACTED] feet so [REDACTED] thought [REDACTED] got shot.

17 INSPECTOR ENGLER: So [REDACTED] thought [REDACTED] got shot.

18 [REDACTED] Yeah.

19 INSPECTOR ENGLER: Did [REDACTED] tell you [REDACTED] was
20 involved with a...like a fight or like any kind of
21 gang activity?

22 [REDACTED] No.

23 INSPECTOR ENGLER: [REDACTED] didn't tell you that.

24 [REDACTED] No.

25 INSPECTOR ENGLER: What did you think

1 happened?

2 [REDACTED] Ha what do you think happened?

3 INSPECTOR ENGLER: Ah ha.

4 [REDACTED] I don't know.

5 INSPECTOR ENGLER: Did you think...you know [REDACTED]
6 today and you know your friend?

7 [REDACTED] I mean.

8 INSPECTOR ENGLER: And you know...hold on...hold
9 on [REDACTED] [REDACTED]

10 [REDACTED]

11 [REDACTED]: Ah ha.

12 INSPECTOR ENGLER: Okay [REDACTED].

13 We talked about we're trying to be honest with each
14 other. Do you think there was a chance [REDACTED] was
15 involved with some kind of [REDACTED] where they
16 got...there was an argument with another group.

17 [REDACTED]: [Unintelligible] [REDACTED] might.

18 INSPECTOR: There's a chance.

19 [REDACTED]: Of course.

20 INSPECTOR ENGLER: You said of course.

21 [REDACTED] I wasn't there I can't say.

22 INSPECTOR ENGLER: I didn't say you were
23 there.

24 [REDACTED] No I'm just saying.

25 INSPECTOR ENGLER: Let's accept right now.

1 [REDACTED] Ah ha.

2 INSPECTOR ENGLER: Let's accept I believe you

3 weren't there.

4 [REDACTED] Okay.

5 INSPECTOR ENGLER: Let's talk about [REDACTED]

6 [REDACTED] Okay.

7 INSPECTOR ENGLER: What do you think [REDACTED] was

8 doing?

9 [REDACTED] I don't know.

10 INSPECTOR ENGLER: How many times have you

11 been Broadway?

12 [REDACTED] A lot.

13 INSPECTOR ENGLER: Have you ever been shot on

14 Broadway?

15 [REDACTED] No.

16 INSPECTOR ENGLER: Have you ever had any of

17 your friends shot on Broadway?

18 [REDACTED] No.

19 INSPECTOR ENGLER: Have you had any of your

20 friends shot at on Broadway?

21 [REDACTED] No.

22 INSPECTOR ENGLER: Have you ever [REDACTED]

23 [REDACTED] have you

24 ever seen some fights involving gang members on

25 Broadway?

1 [REDACTED] Yeah I did.

2 INSPECTOR ENGLER: Pretty routinely.

3 [REDACTED] A lot.

4 INSPECTOR ENGLER: Yeah a lot.

5 [REDACTED] Yeah.

6 INSPECTOR ENGLER: So if you were looking at
7 [REDACTED] and you could look right now let's look
8 back what do you think [REDACTED] was doing that would
9 cause somebody to shoot [REDACTED] ...common sense.

10 [REDACTED] Maybe an argument.

11 INSPECTOR ENGLER: Maybe an argument. Is
12 there a chance [REDACTED] hanging out with [REDACTED]

13 [REDACTED] Is there a chance?

14 [REDACTED] There's a chance yeah.

15 INSPECTOR ENGLER: What do you think?

16 [REDACTED] I don't know.

17 INSPECTOR ENGLER: I mean truth works.

18 [REDACTED] Truth yeah I mean I don't know
19 cause I didn't see it.

20 INSPECTOR ENGLER: Don't have to see it to
21 know.

22 [REDACTED] I mean there was other people
23 that got shot too.

24 INSPECTOR ENGLER: But you were getting [REDACTED]
25 out of there.

1 [REDACTED] What do you mean...yeah yeah.

2 INSPECTOR ENGLER: I mean you were getting
3 [REDACTED] out of there.

4 [REDACTED] Yeah.

5 INSPECTOR ENGLER: Very important...you were
6 getting [REDACTED] out of there okay. So let's look at [REDACTED]
7 okay. Why was there...why was there an urgency to
8 get [REDACTED] out of there? The police were on the way.
9 We...we get [REDACTED] in an ambulance and take care of [REDACTED].
10 Why did you need to get [REDACTED] out of there?

11 [REDACTED] I don't know I was just trying
12 to help.

13 INSPECTOR ENGLER: Do you see how it looks
14 from my point of view?

15 [REDACTED] Yeah.

16 INSPECTOR ENGLER: It looks like yeah my
17 friend [REDACTED] is banging in a gang. [REDACTED] got shot
18 at I got to get [REDACTED] out of here. I can't wait for
19 the police and the ambulance. That's what it looks
20 like to me. That would sound a lot more honest then
21 what I'm hearing because it would sound honest.

22 [REDACTED] [Unintelligible].

23 INSPECTOR ENGLER: If it's the truth it's the
24 truth.

25 [REDACTED] What I'm saying is honest too.

1 INSPECTOR ENGLER: Well I'm saying to meet a
2 [REDACTED] for the first time to put...who got shot for all
3 the times you've [run] out there know one's gotten
4 shot but you put yourself out there that far for a
5 [REDACTED] must have been in real trouble is what I'm
6 saying. That makes sense.

7 [REDACTED] But see the way you look at it
8 [REDACTED] in trouble. The way I look at it [REDACTED] needed
9 help.

10 INSPECTOR ENGLER: Okay.

11 [REDACTED] That's the difference between
12 me and you.

13 INSPECTOR ENGLER: Okay.

14 [REDACTED] The way I look at it I didn't
15 look at it [REDACTED] in trouble. I didn't look at that
16 [REDACTED] was looking for trouble. I didn't look at that.
17 All I looked at [REDACTED] needed help.

18 INSPECTOR ENGLER: Ah ha ah ha.

19 [REDACTED] And I was willing to help.

20 INSPECTOR ENGLER: Ah ha.

21 [REDACTED] [Unintelligible] I mean I
22 didn't see anybody else was helping.

23 INSPECTOR ENGLER: Ah ha.

24 [REDACTED] That's for sure.

25 INSPECTOR ENGLER: Well you said it happened

1 pretty fast.

2 [REDACTED] Yeah it did you know and when I
3 seen [REDACTED]. You know if I got shot I would love
4 somebody to help me.

5 INSPECTOR ENGLER: That would be great.

6 [REDACTED] You know.

7 INSPECTOR ENGLER: That would be great.

8 [REDACTED] And all do things you know I
9 will always stop on the freeway help people you
10 know flat tires or thing. Cause I know one time
11 you know if I had a flat tire and I couldn't fix
12 it.

13 INSPECTOR ENGLER: Ah ha.

14 [REDACTED] Somebody hopefully going to
15 stop and help me.

16 INSPECTOR ENGLER: Ah ha.

17 [REDACTED] That's it that's how I looked
18 at it I didn't look at that [REDACTED] in trouble. I
19 looked at [REDACTED] in need of help and that's why I
20 offered my help.

21 INSPECTOR ENGLER: I'm not saying you're not
22 a Good Samaritan.

23 [REDACTED] It's not about...I don't I know
24 it sounds unbelievable that I wanted to help
25 someone I just did.

1 INSPECTOR ENGLER: Ah ha.

2 [REDACTED] For half an hour.

3 INSPECTOR ENGLER: Ah ha.

4 [REDACTED] But if I don't...if I didn't know

5 [REDACTED] you know and I seen somebody got shot I would

6 help [REDACTED] even if I don't know [REDACTED].

7 INSPECTOR ENGLER: Okay.

8 [REDACTED] You know somebody dropped in

9 front of me I'm going to help.

10 INSPECTOR ENGLER: Ah ha.

11 [REDACTED] You know that's all I can say.

12 INSPECTOR ENGLER: Okay.

13 [REDACTED] And there's cameras to prove

14 it.

15 INSPECTOR ENGLER: Ah ha.

16 [REDACTED] There's everything.

17 INSPECTOR ENGLER: Okay I...I'm accepting that

18 you helped [REDACTED] but I'm also you know...so okay if

19 [REDACTED] if [REDACTED] comes running towards you and

20 [REDACTED] in a gang and [REDACTED] got shot but another [REDACTED] who

21 is in a gang would you help [REDACTED]?

22 [REDACTED] If [REDACTED] was getting shot by a

23 gang?

24 INSPECTOR ENGLER: Yes.

25 [REDACTED] No.

1 INSPECTOR ENGLER: Why not what's the
2 difference?

3 [REDACTED] Because if [REDACTED] was getting shot
4 and running [unintelligible] anybody I wouldn't
5 want to put my life in jeopardy for someone
6 [unintelligible] you know.

7 INSPECTOR ENGLER: But if it happened that
8 fast how would you know.

9 [REDACTED] Well cause if I seen someone
10 running and shooting at [REDACTED].

11 INSPECTOR ENGLER: Ah ha.

12 [REDACTED] You know I would run away.

13 INSPECTOR ENGLER: But you just made the
14 corner. How do you know they weren't coming around
15 the corner? The way you tell it how do you know
16 they're not coming around the corner.

17 [REDACTED] [Unintelligible] if they were
18 coming around the corner they would still be
19 shooting at [REDACTED].

20 INSPECTOR ENGLER: How do you know?

21 [REDACTED] Cause they will.

22 INSPECTOR ENGLER: How...how many shots did you
23 hear?

24 [REDACTED] Six...seven.

25 INSPECTOR ENGLER: Six...seven.

1 [REDACTED] Five...six.

2 INSPECTOR ENGLER: Okay did you know if it
3 was a revolver or an automatic?

4 [REDACTED] I don't know.

5 INSPECTOR ENGLER: I don't know.

6 [REDACTED] I don't know about that stuff.

7 INSPECTOR ENGLER: Okay...okay some revolvers
8 have five or six shots okay some automatics have
9 eight shots. How do you know they weren't
10 reloading and then coming around the corner?

11 [REDACTED] I don't know.

12 INSPECTOR ENGLER: I don't either but I mean
13 how do you make the decision. Like what you said
14 is not believable like your saying I'm a good [REDACTED]
15 I'm going to help. I'm a...I'm a good [REDACTED] I'd help
16 someone that I just met. I'm a good [REDACTED]

17 [REDACTED] But I...[unintelligible].

18 INSPECTOR ENGLER: But...but...but...hold on but
19 if [REDACTED] a gang member I'm not going to help. Well
20 it's one or the other.

21 [REDACTED] If it's if somebody running
22 after [REDACTED] and I'm in the way.

23 INSPECTOR ENGLER: You changed the facts know
24 one was running after [REDACTED].

25 [REDACTED] No let's say if someone running

1 you okay and was shooting and I'm in the way I'm
2 not going to stop and help you I'm going to run.

3 INSPECTOR ENGLER: But those are not the
4 facts.

5 [REDACTED] But the facts [REDACTED] was
6 running...there was a lot of people running and [you
7 would] and I knew there was no danger right there
8 so I offered to help.

9 INSPECTOR ENGLER: And how...what did you say?

10 [REDACTED] What did I tell [REDACTED]?

11 INSPECTOR ENGLER: Ah ha.

12 [REDACTED] I told I'll take you to my car
13 let's go get my car I'll take you to the hospital.

14 INSPECTOR ENGLER: Did you say it in a calm
15 voice like that or did you say it loudly?

16 [REDACTED] I said it loudly yelling. I
17 said it yelling.

18 INSPECTOR ENGLER: Ah how many other people
19 ran by?

20 [REDACTED]: A lot of them.

21 INSPECTOR ENGLER: Did...did you yell it out to
22 any of them.

23 [REDACTED] No because nobody was yelling
24 [REDACTED] was injured.

25 INSPECTOR ENGLER: Did [REDACTED] say [REDACTED] was injured?

1 [REDACTED] : Yes sir.

2 INSPECTOR ENGLER: What was [REDACTED] saying?

3 [REDACTED] : I got shot fuck I got shot...my
4 fuckin' foot I got shot it hurt.

5 INSPECTOR ENGLER: Ah ha okay I'm writing the
6 serial down.

7 [REDACTED] I would be able to get my phone
8 today.

9 INSPECTOR ENGLER: Today.

10 [REDACTED] : Yeah.

11 INSPECTOR ENGLER: I don't think.

12 [REDACTED] I can get you my charger.

13 INSPECTOR ENGLER: I don't think today
14 because it doesn't have a charge on it.

15 [REDACTED] I'll go bring my charger when I
16 get released.

17 INSPECTOR ENGLER: Okay.

18 [REDACTED] You know it's not problem you
19 don't need to get a new charger I'll go get my
20 charger. But I need my phone today.

21 INSPECTOR ENGLER: Okay we'll see what we can
22 do but I got to get the serial numbers all written
23 down here and give you a receipt. I can't do all
24 this without doing that.

25 [REDACTED] : But it's like to me why am I

1 here?

2 INSPECTOR ENGLER: Why are you here?

3 [REDACTED] Yeah.

4 INSPECTOR ENGLER: We're trying to figure out
5 a story.

6 [REDACTED] Okay.

7 INSPECTOR ENGLER: I'm trying to figure out
8 if you're honest or not.

9 [REDACTED] Okay a story that.

10 INSPECTOR ENGLER: I'm trying to figure out
11 if you're honest or not.

12 [REDACTED] It's not about honest or not.

13 INSPECTOR ENGLER: Why not.

14 [REDACTED] It's about.

15 INSPECTOR ENGLER: Why is not about honest.

16 [REDACTED] Who did it and who didn't who's
17 the victim and who's the innocent.

18 INSPECTOR ENGLER: Right.

19 [REDACTED] And you guys know that I didn't
20 do anything really. I didn't have nothing to do
21 with it.

22 INSPECTOR ENGLER: How do I know that?

23 [REDACTED] How.

24 INSPECTOR ENGLER: Ah ha.

25 [REDACTED] Because you've got eyewitnesses

1 and you guys took my test and you guys took a lot
2 of tests you know. If I was guilty I would have
3 been in jail right now.

4 INSPECTOR ENGLER: Well you are under arrest
5 right now.

6 [REDACTED] Under arrest but for what?

7 INSPECTOR ENGLER: Because you're here in
8 police custody and we haven't let you go yet.
9 That's why I'm working on the truth. That's why I
10 keep pushing you. I don't want you to like try to
11 walk a fine line. Just tell the truth.

12 [REDACTED] I told you [unintelligible].

13 INSPECTOR ENGLER: It's not against the law
14 to have friends. It's not even against to have
15 friends that are bad.

16 [REDACTED]: Trust me if [REDACTED] was my friend I
17 wouldn't hide it.

18 INSPECTOR ENGLER: Okay it's not against the
19 law to have friends even that are bad [REDACTED] that get
20 involved with bullshit. It's not against the law
21 to do that. I just need to know that you're
22 telling the truth before you leave here.

23 [REDACTED] I am telling you the truth. I
24 told everything I know.

25 INSPECTOR ENGLER: Some of things you say

1 make me suspicious.

2 [REDACTED] Suspicious.

3 INSPECTOR ENGLER: [Unintelligible] last
4 thing you said.

5 [REDACTED] Suspicious of what though.

6 INSPECTOR ENGLER: That you're not being
7 totally honest.

8 [REDACTED] With what?

9 INSPECTOR ENGLER: With how you know [REDACTED]

10 [REDACTED] I just met [REDACTED] you can go ask
11 [REDACTED] too.

12 INSPECTOR ENGLER: I will. [REDACTED] is [REDACTED]...is
13 that how you say [REDACTED] name.

14 [REDACTED] Ah ha.

15 INSPECTOR ENGLER: Okay where does [REDACTED] live?

16 [REDACTED] [REDACTED]

17 INSPECTOR ENGLER: [REDACTED]

18 [REDACTED] Is [REDACTED] is [REDACTED] a gang member?

19 [REDACTED] No.

20 INSPECTOR ENGLER: Was [REDACTED] ever a gang member?

21 [REDACTED] No.

22 INSPECTOR ENGLER: Ever.

23 [REDACTED] No.

24 INSPECTOR ENGLER: Never.

25 [REDACTED] [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 INSPECTOR ENGLER: Never to your knowledge.

4 Has [REDACTED] ever been arrested before?

5 [REDACTED] I don't know.

6 INSPECTOR ENGLER: Have you had dinner at [REDACTED]

7 house before?

8 [REDACTED] No.

9 INSPECTOR ENGLER: Has [REDACTED] had dinner at your
10 house before?

11 [REDACTED] No.

12 INSPECTOR ENGLER: Have you ever gone to [REDACTED]

13 [REDACTED] house?

14 [REDACTED] Um I went there but I never
15 went inside I dropped [REDACTED] off there. [REDACTED] went and
16 dropped off [REDACTED].

17 INSPECTOR ENGLER: [REDACTED] ?

18 [REDACTED] [REDACTED].

19 INSPECTOR ENGLER: [REDACTED].

20 [REDACTED] Yeah.

21 INSPECTOR ENGLER: [REDACTED].

22 [REDACTED] [REDACTED].

23 [REDACTED]

24 INSPECTOR ENGLER: [REDACTED]

25 [REDACTED] [REDACTED]

1 INSPECTOR ENGLER: [REDACTED].
2 [REDACTED] Yeah.
3 INSPECTOR ENGLER: [REDACTED]
4 [REDACTED]
5 [REDACTED] I don't think so.
6 INSPECTOR ENGLER: Okay why did you say
7 earlier?
8 [REDACTED] Ha.
9 INSPECTOR ENGLER: That it...why did you say if
10 you thought [REDACTED] was in any gang you would not have
11 given [REDACTED] a ride? Why did you say that that's
12 weird?
13 [REDACTED] Because if there was a gang
14 shooting.
15 INSPECTOR ENGLER: Yeah.
16 [REDACTED] I might put myself in danger
17 you know.
18 INSPECTOR ENGLER: Yeah but how do you know.
19 Like the way you told the story is that it happened
20 so fast how do you know it wasn't a gang shooting?
21 [REDACTED] It could be.
22 INSPECTOR ENGLER: Okay.
23 [REDACTED] It couldn't you know.
24 INSPECTOR ENGLER: [REDACTED]
25 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED] [REDACTED]
4 INSPECTOR ENGLER: [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED] Yeah.
8 INSPECTOR: Yeah not random because you've
9 been in North Beach I don't know how many times.
10 [REDACTED] Yeah never never happened to
11 me. That's my first time [being at a shooting].
12 INSPECTOR ENGLER: Ah ha so that's why I said
13 it's weird for you to say well if it was a gang
14 shooting I wouldn't get involved.
15 [REDACTED]: Of course not.
16 INSPECTOR ENGLER: But if somebody got shot
17 I...I should be a Good Samaritan and jump in. How do
18 you know? That doesn't really add up for me. It's
19 like...it's like you're trying to say you know
20 you...you...it's almost like you're trying to pick your
21 words too carefully. Does that make sense to me?
22 [REDACTED] Well yeah it does but you know
23 if I thought about if [REDACTED] in a gang or not you
24 know. Like let's say if I knew [REDACTED] was in a gang
25 and the there was another side shooting at [REDACTED].

1 INSPECTOR ENGLER: Yeah.

2 [REDACTED] I wouldn't put myself in

3 jeopardy to help [REDACTED] because they might try to kill

4 me too.

5 INSPECTOR ENGLER: Right.

6 [REDACTED] You know but when it happened

7 everybody was running you know I didn't really

8 think about being a gang member or not.

9 INSPECTOR ENGLER: Okay.

10 [REDACTED] I didn't think about being a

11 bad person or not somebody was shooting at you and

12 it hit [REDACTED] you know.

13 INSPECTOR ENGLER: Ah ha.

14 [REDACTED] You know.

15 INSPECTOR ENGLER: That happens.

16 [REDACTED] Exactly I didn't think about

17 gang...I didn't think about anything like that.

18 INSPECTOR ENGLER: Right.

19 [REDACTED] That's why I felt like helping

20 but if I seen it through my eyes you know then I

21 know if its gang activity or gang related stuff I

22 wouldn't help. I would move I would leave the

23 whole area.

24 INSPECTOR ENGLER: But there's gang activity

25 all the time around that corner especially that

1 taqueria especially Little Darlings [REDACTED]

2 [REDACTED]

3 Let's be real about that. Is that true yes?

4 [REDACTED] Ah ha.

5 INSPECTOR: Yes okay that's what I'm
6 getting at about truth. [REDACTED]

7 [REDACTED]

8 [REDACTED] You know what happens
9 right there at Little Darlings. You know what
10 happens right there at that taqueria. You know the
11 pizza place right there...in front of those places
12 right there who hangs out.

13 [REDACTED] A lot of people.

14 INSPECTOR ENGLER: And a lot of those people
15 are who?

16 [REDACTED] A lot of gang members.

17 INSPECTOR ENGLER: Right.

18 [REDACTED] You know I mean don't get me
19 wrong there are a lot of gang members on Broadway.

20 INSPECTOR ENGLER: Yeah.

21 [REDACTED] It's all over Broadway it's not
22 only on Columbus not only on Broadway it's all
23 over.

24 INSPECTOR ENGLER: Right but that in
25 particular education especially you know that

1 because you were up and down right in there.
2 You...you have eyes you're not a dumb [REDACTED] You're
3 obviously a smart [REDACTED] correct.
4 [REDACTED] Ah ha.
5 INSPECTOR ENGLER: [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]: [REDACTED] [REDACTED] [REDACTED] [unintelligible].
9 INSPECTOR ENGLER: Okay [REDACTED]
10 [REDACTED]
11 [REDACTED] [REDACTED]
12 INSPECTOR ENGLER: [REDACTED]
13 [REDACTED]
14 O [REDACTED]
15 [REDACTED] [Yeah].
16 INSPECTOR ENGLER: [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED] Yeah.
21 INSPECTOR ENGLER: Right so you know you can
22 see [REDACTED] that look like they're running a gang.
23 [REDACTED] Yeah.
24 INSPECTOR ENGLER: Correct.
25 [REDACTED] Yeah.

1 INSPECTOR ENGLER: Okay your friend [REDACTED]
2 what color shoes was [REDACTED] wearing today?
3 [REDACTED] Red.
4 INSPECTOR ENGLER: [REDACTED]
5 [REDACTED] what does it mean when you wear red tennis
6 shoes?
7 [REDACTED] Gangbang.
8 INSPECTOR ENGLER: That you bang and who do
9 you bang for?
10 [REDACTED] [REDACTED]
11 INSPECTOR ENGLER: [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED] Ah ha.
16 INSPECTOR ENGLER: That's all I'm saying. I
17 don't think...you see I'm trying to treat you like
18 your intelligent and I know you're not stupid.
19 [REDACTED] I'm not.
20 INSPECTOR ENGLER: Just treat me like I'm
21 intelligent.
22 [REDACTED] I really can't tell you if [REDACTED]
23 bangs or not cause I really don't know [REDACTED] like
24 that.
25 INSPECTOR ENGLER: Would it be true that [REDACTED]

1 wearing the clothing of something that bangs?

2 Would that be accurate?

3 [REDACTED] Yeah.

4 INSPECTOR ENGLER: Okay.

5 [REDACTED] Cause.

6 INSPECTOR ENGLER: Would it be accurate to
7 say that there's people that hang out in gangs
8 right there in those locations we're talking about.

9 [REDACTED] Yeah I mean.

10 INSPECTOR ENGLER: Especially on a Friday or
11 Saturday night.

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED]

16 INSPECTOR ENGLER: Okay and how would you
17 handle that?

18 [REDACTED] [REDACTED]

19 [REDACTED] [REDACTED]

20 [REDACTED]

21 INSPECTOR ENGLER: Yeah [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 INSPECTOR PIERUCCHI: Oh yeah

25 [REDACTED] Now what was the other one?

1 [REDACTED] [REDACTED]
2 I INSPECTOR PIERUCCHI: [REDACTED]
3 [REDACTED] [REDACTED]
4 lady.
5 INSPECTOR PIERUCCHI: [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 INSPECTOR ENGLER: Sign right there for me.
9 INSPECTOR: What would happen to someone if
10 they were in that area?
11 INSPECTOR ENGLER: Sign right there.
12 INSPECTOR: [REDACTED]
13 [unintelligible].
14 [REDACTED] What do you mean?
15 INSPECTOR: Let's say someone some want to
16 be goes out there dressed like [REDACTED] to that
17 area that's [REDACTED] what would happen to them on
18 the street.
19 [REDACTED] I would probably hang out with
20 them.
21 INSPECTOR: Even if they're not
22 [unintelligible].
23 [REDACTED]: Probably.
24 INSPECTOR: And chill with them.
25 [REDACTED]: Probably just cause [unintelligible]

1 same color.

2 INSPECTOR: Okay here's a...here's a receipt
3 for the phone before we give it back to you. Could
4 you sign right there? I signed it my partner John
5 Pierucchi signed it. Sign right there.

6 [REDACTED] If [unintelligible] my charger
7 today can I have it today.

8 INSPECTOR ENGLER: Ah let me make a call up
9 there. I've got to call the lab technician to see
10 how fast they can get it processed. Sometimes on
11 the weekends it's yes and sometimes it's no. I
12 will try to have it be yes okay.

13 [REDACTED] Cause I need it for work too.

14 INSPECTOR ENGLER: I understand I will try to
15 have it be yes okay. Let me make a call. I'm
16 going to make a copy of this receipt for you. My
17 partner is going to ask you right now to
18 give...because there was a shooting involved there
19 was a gun recovered. We've got to do a DNA test.

20 [REDACTED]: I'll do anything.

21 INSPECTOR ENGLER: All right...all right.

22 [REDACTED] I've been doing this shit all
23 day.

24 INSPECTOR PIERUCCHI: You're okay with
25 this.

1 [REDACTED] : Yeah.

2 INSPECTOR PIERUCCHI: [Unintelligible] swab it
3 goes in your mouth just going to do this for
4 [unintelligible].

5 [REDACTED] I did it earlier.

6 INSPECTOR PIERUCCHI: You did okay...you did
7 it earlier.

8 [REDACTED] Yeah.

9 INSPECTOR PIERUCCHI: Who did it to you?

10 [REDACTED] Some bald guy.

11 INSPECTOR PIERUCCHI: Who was that?

12 [REDACTED] He was in a suit he was bald a
13 little bit big.

14 INSPECTOR PIERUCCHI: When.

15 [REDACTED] Earlier at the hospital. He
16 did it for me and the other [REDACTED]

17 INSPECTOR PIERUCCHI: He did.

18 [REDACTED] Yeah.

19 INSPECTOR PIERUCCHI: I mean you can go
20 ahead and do it again I don't care.

21 INSPECTOR PIERUCCHI: Well yeah I don't
22 know what they did because I didn't speak to those
23 guys.

24 [REDACTED] True I don't care.

25 INSPECTOR PIERUCCHI: I'm just saying.

1 [REDACTED] I want to get out of here for
2 real man I've got somewhere to go [unintelligible]
3 phone.

4 INSPECTOR PIERUCCHI: Hey...hey I understand
5 that you know all of us have places to go. We've
6 got to do what we need to do right. We got to do
7 what we need to do.

8 [REDACTED] Is this is going to take a long
9 time.

10 INSPECTOR PIERUCCHI: It's going to be all
11 right. Let me finish this thing here. Pretty fast
12 and then we'll see what we can do all right.

13 [REDACTED]: Ah ha.

14 INSPECTOR: Step out for second.

15 INSPECTOR PIERRUCCHI: Yeah. Don't touch
16 anything all right. It's all wrapped up you know
17 so.

18 [REDACTED]: What is it?

19 INSPECTOR PIERUCCHI: There's
20 gloves...there's gloves in there and everything else
21 it's just the...the test.

22 [REDACTED] Is it all right if I stand up?

23 INSPECTOR PIERUCCHI: Yeah go ahead stand
24 up and you know get yourself loose a little bit.

25 [REDACTED] Cause the bald guy he told me

1 that we needed to make sure that [unintelligible]
2 that's why I took those.

3 INSPECTOR PIERUCCHI: Okay you know what
4 I'll do that too and we'll just see. Where um
5 you're going to have to spell your name for me
6 again buddy. I had this right yeah. [REDACTED] that's
7 right. [Unintelligible] [REDACTED] and then it's
8 [REDACTED]

9 [REDACTED] So after we're done with this I
10 get released or what?

11 INSPECTOR PIERUCCHI: Ha.

12 [REDACTED] After I'm done with this.

13 INSPECTOR PIERUCCHI: You get go home...you
14 know we don't know yet. [Unintelligible] let's see
15 [unintelligible]. I'm trying okay your date of
16 birth.

17 [REDACTED] [REDACTED].

18 INSPECTOR PIERUCCHI: All right he had ah
19 we've got some information here for you that's not
20 it okay that's all right. All right just sign
21 here.

22 [REDACTED] What is this?

23 INSPECTOR PIERUCCHI: This is just saying
24 that ah that you are doing it voluntarily. If the
25 subject is voluntarily providing sample please

1 provide subject signature below and then that's you
2 you know because you're doing it voluntarily.
3 You've got put the your whole name you've got to
4 sign right. [PHONE RINGS] I should take this or not
5 [Unintelligible] get you out of here. Inspector
6 Pierucchi.

7 [REDACTED] : [Telephone conversation].

8 INSPECTOR PIERUCCHI: Hello.

9 [REDACTED] : [Telephone conversation].

10 INSPECTOR PIERUCCHI: Okay yeah I'm just in
11 the middle of ah getting the DNA sample.

12 [REDACTED] : [Telephone conversation].

13 INSPECTOR PIERUCCHI: Yeah and then I'll
14 come over there.

15 [REDACTED] : [Telephone conversation].

16 INSPECTOR PIERUCCHI: Yeah yeah I'll do
17 that thank you.

18 [REDACTED] : [Telephone conversation].

19 INSPECTOR PIERUCCHI: All right okay.

20 [REDACTED] So I'm getting booked.

21 INSPECTOR PIERUCCHI: Ah I'm not...I'm not
22 certain yet. We have to see what else other people
23 found out okay and then we'll see what happens.
24 But I let's see here all right let's do this this
25 is going to be...let fill these out so that way...I'm

1 just going to put your last name here [REDACTED]

2 INSPECTOR: Excuse me. [Unintelligible].

3 [REDACTED] That's my old phone.

4 INPECTOR ENGLER: [Unintelligible] phone.

5 [REDACTED]: That's my old phone.

6 INPECTOR ENGLER: Oh you're old phone.

7 [REDACTED]: That don't work either. Are you
8 going to keep that one too?

9 INPECTOR ENGLER: Yeah might as well. How
10 do you open that...thanks [unintelligible].

11 [REDACTED] When would I be able to pick up
12 my phone?

13 INPECTOR ENGLER: Well we'll know after
14 we're done with you we'll make some phone calls and
15 find out how fast we're going to process it. But I
16 want to get 'em processed just as bad as you do.

17 INSPECTOR MACK: How you doing?

18 INSPECTOR ENGLER: This is Inspector Mack in
19 here. He's going to walk you downstairs. All right
20 do me a favor just add to this ah I'm going to sign
21 right underneath where I just added it my name a
22 second time cause we had to sign it once. Sergeant
23 Pierucchi can you sign after mine real quick?
24 [Unintelligible] please.

25 [REDACTED] I'm going back to the cell...I'm

1 going downstairs to the cell.

2 INSPECTOR ENGLER: Yeah we're going to walk
3 you downstairs. Sign that right there.

4 [REDACTED] Am I getting released or what?

5 INSPECTOR ENGLER: Right...well right now like
6 I explained to you a minute ago you're under
7 arrest.

8 [REDACTED] Well can I make a phone call?

9 INSPECTOR ENGLER: Yeah you're going to be
10 afforded the opportunity to make phone calls. Give
11 me a second okay.

12 [REDACTED] So I'm going to jail.

13 INSPECTOR ENGLER: Right now you're under
14 arrest you're not free to leave. You're in a
15 police facility. You're with us you're under
16 arrest. We're getting a lot of procedural stuff
17 right now you know. You don't have to say yes to
18 the DNA swab if you don't want you know but we want
19 to get this stuff out of the way. So you're not
20 free to leave now.

21 [REDACTED]: Ah ha.

22 INSPECTOR ENGLER: Okay I just want to make
23 that real clear okay.

24 [REDACTED] I want to call a lawyer.

25 INSPECTOR ENGLER: Okay you can call a

1 lawyer. [Unintelligible].

2 INSPECTOR PIERUCCHI: [Unintelligible] all
3 right.

4 [REDACTED]: [Unintelligible].

5 INSEPCTOR PIERUCCHI: Don't touch anything
6 I've got the gloves on now. Okay let's do
7 [unintelligible] just open your mouth...open your
8 mouth. All right.

9 [REDACTED]: [Unintelligible] catch the people
10 who shoot [unintelligible] catch them...book 'em in
11 jail.

12 INSPECTOR PIERUCCHI: Hey come on.

13 [REDACTED]: Say that in court.

14 INSPECTOR PIERUCCHI: We're all doing the
15 best we can do [unintelligible].

16 [REDACTED] Getting arrested for someone
17 who didn't do anything [unintelligible] proof
18 [unintelligible] say that in court.

19 INSPECTOR: One more okay just
20 [unintelligible] second...you all right do you want
21 to grab something to eat you good.

22 [REDACTED]: [Unintelligible].

23 INSPECTOR PIERUCCHI: You're not going to
24 do that in here are you?

25 [REDACTED] Jesus Christ. So I'm arrested

1 for the shooting.

2 INSPECTOR PIERUCCHI: Remember I told you
3 we still have to investigate the whole thing okay.

4 [REDACTED] [Unintelligible] last night.

5 INSPECTOR PIERUCCHI: How long do you think
6 it takes to investigate?

7 [REDACTED] [Unintelligible] and everything
8 right.

9 INSPECTOR PIERUCCHI: Well how many people
10 do you think we have to you know ask questions to.
11 As many as come up right. That's what we got to do.
12 You know we're not being jerks with you right.

13 [REDACTED]: It's not about jerks
14 [unintelligible] do anything [unintelligible].

15 INSPECTOR PIERUCCHI: Hold on a second.

16 [REDACTED] [Unintelligible].

17 INSPECTOR PIERUCCHI: I just want you to do
18 something for me. Stick out your right thumb
19 here's what you do okay put it down yeah just go
20 ahead and put it right there. That's good. All
21 right.

22 [REDACTED] That's it.

23 INSPECTOR: Yeah here you go I'll give you
24 something to clean yourself up. Okay
25 [unintelligible] all right sure you don't want to

1 take anything to eat.

2 [REDACTED] I'll take this.

3 INSPECTOR PIERUCCHI: Grab your Snickers
4 you want that.

5 INSPECTOR: [Unintelligible] Snickers right
6 now. Did you get your Snickers? [Unintelligible]
7 no problem.

8 INSPECTOR ENGLER: [Unintelligible].

9 INSPECTOR: [Unintelligible]

10 INSPECTOR PIERUCCHI: All right I'm just
11 going to end 12:21.

12 **END OF DOCUMENT**

1 INSPECTOR ENGLER: ...Our partner from the
2 District Attorney Investigator's Office.

3 [REDACTED] Oh.

4 INVESTIGATOR POSADA: Jim Posada 7044.

5 INSPECTOR ENGLER: Sit down. What's your
6 name, [REDACTED]?

7 [REDACTED]

8 INSPECTOR ENGLER: [REDACTED]

9 [REDACTED] Yeah.

10 INSPECTOR ENGLER: [REDACTED]

11 [REDACTED] Yeah.

12 INSPECTOR ENGLER: We've got a lot to talk
13 about. But before we talk, okay, we're going to do
14 a couple things. The first thing I'm going to tell
15 you is we're going to tape-record our conversation...

16 [REDACTED] Yeah. I know that.

17 INSPECTOR ENGLER: All right, just so you
18 know. I'll tell you right now, everything is going
19 to be out on the table. Because I know some things
20 that you don't know, and you know some things that
21 I don't know. But before we talk, I'm going to go
22 ahead and read you your rights... you've been with us
23 for a long time.

24 [REDACTED] I know my rights.

25 INSPECTOR PIERUCCHI: It's okay. He does that

1 anyway.

2 INSPECTOR ENGLER: I always do my interviews
3 the same. You have the right to remain silent. Do
4 you understand that?

5 [REDACTED] Mm-hmm.

6 INSPECTOR ENGLER: Is that yes?

7 [REDACTED] Yes.

8 INSPECTOR ENGLER: Okay. Anything you say may
9 be used against you in court. Do you understand
10 that?

11 [REDACTED] Yes.

12 INSPECTOR ENGLER: Okay. You have the right to
13 the presence of an attorney before and during any
14 questioning. Do you understand that?

15 [REDACTED] Yeah.

16 INSPECTOR ENGLER: Okay. If you cannot afford
17 an attorney, one will be appointed for you, free of
18 charge, before any questioning if you want. Do you
19 understand that?

20 [REDACTED] Yes.

21 INSPECTOR ENGLER: Okay. Listen to me very
22 carefully.

23 [REDACTED] Okay.

24 INSPECTOR ENGLER: Tonight, I looked at the
25 videotape, and I recovered a sawed-off shotgun. And

1 I know that sawed-off shotgun was pointed at you
2 tonight. I know the streets talk. I know I'm going
3 to find out who pointed that gun at you. I just
4 need... I need a little help now. So, what's the name
5 of the [REDACTED] that pointed that sawed-off shotgun at
6 you?

7 [REDACTED] Pointed at me?

8 INSPECTOR ENGLER: Well, yeah. You were out in
9 front of the... I mean, you were out in front
10 tonight. There was a reason that everybody
11 scattered. And somebody pointed a sawed-off shotgun
12 tonight, and I'm trying to get that gun off the
13 street. I see it on the video, there's a sawed-off
14 shotgun, somebody could have gotten killed.
15 Everything else that happened after that, I
16 completely understand. But can you help me with
17 that?

18 [REDACTED] No. You guys say that I was the
19 shooter right?

20 INSPECTOR ENGLER: D-, D-, D-, I'm not talking
21 about that.

22 [REDACTED] That's wrong [unintelligible].
23 But don't you think if I was the shooter, right?

24 INSPECTOR ENGLER: Right.

25 [REDACTED] ...Right after that shit happened...

1 and the officer shot his gun and I stopped, don't
2 you think I would have got... I would have had the
3 gun on me? It was just like three seconds after the
4 shooting...

5 INSPECTOR ENGLER: Right.

6 [REDACTED] ...The only thing I did was ran.

7 INSPECTOR ENGLER: But I'm talking about the
8 sawed-off shotgun.

9 [REDACTED] All right.

10 INSPECTOR ENGLER: See, listen, listen,
11 listen. I think you saw it, but maybe you didn't.
12 Let me, let me explain something to you.

13 [REDACTED] Yes.

14 INSPECTOR ENGLER: Okay? And, and maybe if
15 you... look if, if you're thinking about talking to
16 friends, and taking care of something yourself, I,
17 I really want to impress something upon you. Okay?
18 A sawed-off shotgun is no joke. Anybody that brings
19 a sawed-off shotgun out onto the street means to do
20 some damage.

21 [REDACTED] I know.

22 INSPECTOR ENGLER: True?

23 [REDACTED] Yeah.

24 INSPECTOR ENGLER: True that right? I mean,
25 tonight [phone rings] tonight there was a sawed-off

1 shotgun, okay? It was right out there in front of
2 little darlings. It was at a [REDACTED] two people away
3 from you when I look at the video, okay? I see you
4 back out away from the video... I see you on the
5 video back away... so I gotta believe that you saw
6 it. Or somethin' was said, I don't know. But I
7 gotta believe, the way you backed away, that you
8 thought you were about to get shot. I gotta believe
9 that.

10 [REDACTED] So what am I getting charged
11 with?

12 INSPECTOR ENGLER: I, I, I don't want... I don't
13 know yet. Where I'm at right now, is I'm trying to
14 figure out... listen...

15 [REDACTED] I want a lawyer cause it ain't
16 really too much to say. I need a lawyer.

17 INSPECTOR ENGLER: Well, I can't talk to you
18 about this. Because you asked me a question, just a
19 second ago and I was trying to answer it. That's
20 too bad. Okay.

21 [REDACTED] I'll just get a lawyer because
22 if... you know... it might be like... if I don't have my
23 lawyer here wit me, it might be like, you feel me,
24 it might be some, some, some B.S. y'all tryin' to
25 feed me just that, you know, to get me to... I need a

1 lawyer. Uh, I still haven't made no phone calls. I
2 would like them phone calls, so I can call my
3 cousin and [REDACTED] can get me a lawyer as soon as
4 possible?

5 INSPECTOR ENGLER: Okay.

6 [REDACTED] And that's it.

7 INSPECTOR ENGLER: Okay. That's the end of the
8 interview.

9 [REDACTED] Uh, can I have a cigarette?

10 INSPECTOR ENGLER: I, I'm not going to find
11 you a cigarette. I wanted to ask you some questions
12 to clear up the shotgun. Uh, the time is 2:03 in
13 the afternoon. It's Saturday, July 3rd. That ends
14 the interview with... [REDACTED] your name is uh [REDACTED]

15 Is that correct?

16 [REDACTED] Yes.

17 INSPECTOR ENGLER: Okay, and your date of
18 birth is?

19 [REDACTED]

20 INSPECTOR ENGLER: [REDACTED]

21 [REDACTED] Okay.

22 INSPECTOR ENGLER: No, we don't have any
23 questions because we can't ask you any, because you
24 asked for a lawyer. So... all right. And you're under
25 arrest. So, um, stand up, turn around. Sit down for

1 me for just a second.

2 **END OF DOCUMENT**

1 INSPECTOR ENGLER: Why don't you sit down for
2 me. You're welcomed. All right. My name... I saw you
3 earlier out at the scene. I'm Inspector Joe Engler,
4 star 239.

5 [REDACTED] How you doin'?

6 INSPECTOR ENGLER: I work in the homicide
7 detail. This is my partner.

8 INSPECTOR PIERUCCHI: How you doing? All
9 right?

10 [REDACTED] All right.

11 INSPECTOR ENGLER: Inspector John Rico
12 Pierucchi...

13 INSPECTOR PIERUCCHI: 1604.

14 INSPECTOR ENGLER: Okay.

15 DA INVESTIGATOR JIMMY POSADA: Uh, Jim Posada,
16 DA Investigator 7044.

17 [REDACTED] Okay.

18 INSPECTOR ENGLER: We're going to do an
19 interview, and we're going to tape-record the
20 interview. The case number's 100 609...

21 [REDACTED] Hold on, hold on, hold on, hold
22 on...

23 INSPECTOR ENGLER: Hold on. I gotta read this.
24 100 609 942, okay? All right. You've been with us a
25 long time. You've got handcuffs on your hands. You

1 were in the field, and they did some field [show
2 ups] on the field today. I want to ask you some
3 questions, okay... because you were out around
4 Columbus and Broadway tonight. But before I say
5 anything to you, or ask you anything, or ask you to
6 answer me anything, I'm going to advise you of your
7 rights. Okay, we'll talk about that. And then it's
8 up to you whether you want to talk about what
9 happened tonight. Okay? So, let me get out my card,
10 so I can do that. Let's get this out of the way.

11 [REDACTED] So am I getting arrested already?

12 INSPECTOR ENGLER: Well, here's the deal... the
13 way it's been handled so far... you've been in
14 handcuffs already. So, legally you are under arrest
15 because you're in a police facility, and you've had
16 handcuffs on, and it's been since one o'clock in
17 the morning... or actually about two o'clock in the
18 morning you've been with us. Just so you understand
19 that.

20 [REDACTED] Okay, so...

21 INSPECTOR ENGLER: So I understand that. So
22 legally you're under arrest.

23 [REDACTED] For how long?

24 INSPECTOR ENGLER: Well, let me, let me read
25 these to you, and then we could clear anything up

1 you want to talk about. But legally I have to read
2 this to you.

3 [REDACTED] All right.

4 INSPECTOR ENGLER: You have the right to
5 remain silent. Do you understand that? You're
6 nodding your head, is that yes?

7 [REDACTED] Yes.

8 INSPECTOR ENGLER: Okay. Anything you say may
9 be used against you in court. Do you understand
10 that?

11 [REDACTED] Yes.

12 INSPECTOR ENGLER: You have the right to the
13 presence of an attorney, before and during any
14 questioning. Do you understand that?

15 [REDACTED] Yes.

16 INSPECTOR ENGLER: Okay. If you cannot afford
17 an attorney, one will be appointed for you, free of
18 charge, before any questioning if you want. Do you
19 understand that?

20 [REDACTED] Yes.

21 INSPECTOR ENGLER: Okay. So to answer your
22 question to me... whenever anybody is detained by the
23 police, and then they're moved to another location,
24 okay, and you're not free to leave, that's an
25 arrest. Tonight, you were detained in an alley,

1 Romolo Alley, in Northbeach, on a hill. You were
2 stopped by the police. You were handcuffed. You
3 were not allowed to leave, and you've been with us
4 since the time you were stopped. Is that true?

5 [REDACTED] Yes.

6 INSPECTOR ENGLER: Okay. So you're under
7 arrest. So what I, what I want to do is talk about
8 tonight, straighten some stuff out, and come to an
9 understanding whether that was correct that you
10 were put in handcuffs, and put under arrest, or
11 incorrect. Does that make sense?

12 [REDACTED] Mm-hmm.

13 INSPECTOR ENGLER: So can you explain to me,
14 how it is, that you got shot in the f... you get shot
15 in the sole of your foot today?

16 [REDACTED] I got shot, and it skinned my
17 shoe. And it didn't hit my foot though.

18 INSPECTOR ENGLER: How did that happen?

19 [REDACTED] I don't know.

20 INSPECTOR ENGLER: Okay.

21 [REDACTED] I moved out the way probably at
22 the right time...

23 INSPECTOR ENGLER: Okay.

24 [REDACTED] But... I don't know.

25 INSPECTOR ENGLER: I mean you're lucky you

1 didn't get hit.

2 [REDACTED] I know.

3 INSPECTOR ENGLER: I mean you could have been
4 hurt.

5 [REDACTED] I thought I was hit... tell you the
6 truth, I thought I was hit.

7 INSPECTOR ENGLER: Yeah I heard. You
8 [unintelligible] screamed...

9 [REDACTED] I was screaming on the field,
10 screaming, "I got shot. I got shot."

11 INSPECTOR ENGLER: Yeah.

12 [REDACTED] But... [unintelligible]...

13 INSPECTOR ENGLER: Are you okay? Do we have to
14 get you medical? Um, if you need it, I'll get an
15 ambulance here to take a look at your foot.

16 [REDACTED] Nah, it's good.

17 INSPECTOR ENGLER: Whatever you need.

18 [REDACTED] I'm all right.

19 INSPECTOR ENGLER: You're all right? Okay. All
20 right. [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 INSPECTOR ENGLER: Okay. Where do you live?

24 [REDACTED]

25 INSPECTOR ENGLER: [REDACTED] [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 INSPECTOR ENGLER: [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 INSPECTOR ENGLER: [REDACTED]
7 [REDACTED] I don't know, [REDACTED]
8 [REDACTED]
9 INSPECTOR ENGLER: Okay.
10 [REDACTED]
11 INSPECTOR ENGLER: Good. All right. All right.
12 So, tonight, why did you get shot?
13 [REDACTED] Well, tell you the truth, I don't
14 know. I was talking to [REDACTED] and I was with a
15 couple of my [REDACTED] that were chilling. And I guess
16 they were getting into it with somebody. I wasn't
17 paying attention. And then I heard bam, bam, bam,
18 four or five times. I started running. I ran toward
19 the alley. And like, when I was going up, I
20 [unintelligible] that [REDACTED] that... that's in here
21 with me... and went up, and was going to go back
22 down, and that's when [REDACTED] busted us.
23 INSPECTOR ENGLER: Okay. Let's roll it back
24 for a second. Okay. You're talking, you were
25 talking...

1 [REDACTED] Talking to, talking to [REDACTED].
2 INSPECTOR ENGLER: Who is it? Do you know [REDACTED]?
3 [REDACTED] I don't know [REDACTED].
4 INSPECTOR ENGLER: How does [REDACTED] look?
5 [REDACTED] [sic], uh
6 like about like [REDACTED]...
7 INSPECTOR ENGLER: [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 INSPECTOR ENGLER: [REDACTED]
11 [REDACTED] Yeah.
12 INSPECTOR ENGLER: Have you seen [REDACTED] before?
13 Okay. You were chattin' [REDACTED]. You were talking.
14 Were you asking [REDACTED]?
15 [REDACTED] Seeing how [REDACTED] was doing, calling
16 [REDACTED]
17 INSPECTOR ENGLER: Uh-huh. How'd that go?
18 [REDACTED] Cool.
19 INSPECTOR ENGLER: Did you [REDACTED]?
20 [REDACTED] No. I only called [REDACTED] one thing,
21 and then boom, boom, boom.
22 INSPECTOR ENGLER: Okay. Where did this [REDACTED]
23 go when the boom, boom...
24 [REDACTED] I ran. I don't know where [REDACTED]
25 went. I ran. I went my way. I didn't want... I was

1 trying to save myself.

2 INSPECTOR ENGLER: Did you get [REDACTED]?

3 [REDACTED] Nah, I didn't get [REDACTED].

4 INSPECTOR ENGLER: Did you put [REDACTED]

5 [REDACTED].

6 [REDACTED].

7 INSPECTOR ENGLER: Okay. All right. You said
8 you were hanging out... anything else about this
9 [REDACTED]?

10 [REDACTED] That's it.

11 INSPECTOR ENGLER: What'd [REDACTED] look like dress-
12 wise?

13 [REDACTED] was wearing black and white.

14 INSPECTOR ENGLER: Black and white what?

15 [REDACTED] Black pants, white shirt.

16 INSPECTOR ENGLER: Black pants?

17 [REDACTED] White shirt.

18 INSPECTOR ENGLER: White shirt. Shirt tucked
19 in, or was it more like [REDACTED], or was it more
20 like a t-shirt?

21 [REDACTED] It was more like a t-shirt.

22 INSPECTOR ENGLER: Tucked in or hangin' out?

23 [REDACTED] Out.

24 INSPECTOR ENGLER: How's [REDACTED] hair?

25 [REDACTED]

1 INSPECTOR ENGLER: [REDACTED] your color, or
2 lighter or darker?

3 [REDACTED] Like my color.

4 INSPECTOR ENGLER: [REDACTED] and long? Did [REDACTED]
5 have any like piercings or tattoos or?

6 [REDACTED] I didn't... I didn't check. I didn't
7 see it on [REDACTED] face or nothing... no piercings or
8 nothing though.

9 INSPECTOR ENGLER: How old was [REDACTED]?

10 [REDACTED] ...

11 INSPECTOR ENGLER: Okay.

12 [REDACTED]

13 INSPECTOR ENGLER: Okay. And you don't see
14 where [REDACTED] went, went off to?

15 [REDACTED] No.

16 INSPECTOR ENGLER: Okay. So, you said you were
17 also with your [REDACTED], who is that? Who, who were
18 you hanging out with?

19 [REDACTED] Some [REDACTED] I'd kicked it with a
20 couple times.

21 INSPECTOR ENGLER: Who's that? Do you have any
22 names for them?

23 [REDACTED] I know named [REDACTED].
24 I was kickin' it with [REDACTED] for a little while.

25 INSPECTOR ENGLER: [REDACTED]

1 [REDACTED] But then I didn't know where [REDACTED]
2 went after... after all that.

3 INSPECTOR ENGLER: Was [REDACTED] your ride tonight?

4 [REDACTED] Nah, I caught bus.

5 INSPECTOR ENGLER: Okay. Where is [REDACTED] from?

6 [REDACTED]

7 INSPECTOR ENGLER: [REDACTED]

8 [REDACTED] Yeah.

9 INSPECTOR ENGLER: Okay. I mean, keep in mind,
10 I mean... you're under arrest. I want to clear this
11 up. So, what's really helpful to me, just so you
12 know, just so you know how I do things...

13 [REDACTED] I don't know why we're going
14 through this though.

15 INSPECTOR ENGLER: No, no... it's important, and
16 let me explain to you why I'm trying to. Okay? What
17 I need to do is believe you. The best way for me to
18 believe you, is you give me information and I go,
19 "yeah, that's pretty good, that checks out, that's
20 cool."

21 [REDACTED] How do I know...

22 INSPECTOR ENGLER: Because we don't know each
23 other.

24 [REDACTED] I know we don't. So how do I know
25 you're not playing me right now?

1 INSPECTOR ENGLER: Because that's how we do
2 it.

3 [REDACTED] Okay.

4 INSPECTOR ENGLER: The way we do it is you
5 give me something... you, you have my word. I promise
6 you this, and I take it seriously, I will not lie
7 to you. A hundred percent you get from me because
8 this is serious. What I need to know is the truth.
9 What I need to know is who's [REDACTED] ? How can I find
10 [REDACTED] ?

11 [REDACTED] I can't tell you that.

12 INSPECTOR ENGLER: Why not?

13 [REDACTED] Because I can't

14 INSPECTOR ENGLER: Why not?

15 [REDACTED] Because I don't know where [REDACTED]
16 lives at.

17 INSPECTOR ENGLER: Okay. That was... that's an
18 honest answer. See, if you did know where [REDACTED] lived,
19 would you tell me?

20 [REDACTED] No.

21 INSPECTOR ENGLER: Why not?

22 [REDACTED] Because I just can't.

23 INSPECTOR ENGLER: Okay. Is it like a gang
24 thing, you can't...

25 [REDACTED] No.

1 INSPECTOR ENGLER: ...You can't like give [REDACTED]
2 up?

3 [REDACTED] I want to know why I'm being
4 arrested for? That's what I want to know.

5 INSPECTOR ENGLER: You want to know why you're
6 being arrested?

7 [REDACTED] You know, I got shot at, so why am
8 I in here? I understand that I was detained for a
9 long time, but still though, I want to know why.

10 INSPECTOR ENGLER: Okay. I'm trying to work
11 through your story here. Okay?

12 [REDACTED] Mm-hmm.

13 INSPECTOR ENGLER: You've been detained for a
14 long time.

15 [REDACTED] Yeah, I know.

16 INSPECTOR ENGLER: I'm trying to work through
17 your story here. Whether, whether...

18 [REDACTED] But you're over here telling me
19 I'm arrested though.

20 INSPECTOR ENGLER: Yeah, because you've been
21 here a long time.

22 [REDACTED] Well yeah, I understand. But then,
23 after this, where am I going?

24 INSPECTOR ENGLER: I don't know. You tell me.

25 [REDACTED] I'm trying to go home. I'm not

1 trying to be here.

2 INSPECTOR ENGLER: I understand. Why are you
3 arguing with me?

4 [REDACTED] I'm not arguing with you.

5 INSPECTOR ENGLER: I'm trying to work through
6 a story here. Do you see how counter-productive
7 that is?

8 [REDACTED] Yeah.

9 INSPECTOR ENGLER: That's like bad energy.

10 [REDACTED] I'm not giving... I'm not trying to
11 give you bad energy.

12 INSPECTOR ENGLER: But I'm feeling it.

13 [REDACTED] I want you to feel where I'm
14 coming from.

15 INSPECTOR ENGLER: Okay. Do you...

16 [REDACTED] I just got shot at today. I'm not
17 feeling good.

18 INSPECTOR ENGLER: Yeah, I understand that.
19 And I'm sorry.

20 [REDACTED] Okay? You've got to understand
21 where I'm coming from.

22 INSPECTOR ENGLER: All right. Do you want...
23 could, could... I understand where you're coming
24 from. Do you understand where I'm coming from?

25 [REDACTED] I understand where you're coming

1 from. You're just doing your job.

2 INSPECTOR ENGLER: I'm doing a little more
3 than that. Okay? I'm doing a little more than that.
4 I'm doing my job, and I'm trying to get to the
5 truth of the matter. And the truth of the matter is
6 why I'm asking you for pieces... make it all make
7 sense. Because... you know how many people we've
8 talked to today? Why it took so long to talk to
9 you? We talked to a lot of people.

10 [REDACTED] Why am I last though?

11 INSPECTOR ENGLER: Because you got shot.

12 [REDACTED] I didn't get shot. I got shot at.

13 INSPECTOR ENGLER: You got shot in the foot
14 right?

15 [REDACTED] Yeah, but I got shot at. I didn't
16 get shot.

17 INSPECTOR ENGLER: You got shot at?

18 [REDACTED] Yeah.

19 INSPECTOR ENGLER: Okay. I want to make sense
20 of that. Help me make sense of that. You're hanging
21 around with [REDACTED]. Did someone want to hurt [REDACTED]?

22 [REDACTED] I don't know. That's the thing, I
23 don't know. I'm over here talking to [REDACTED]. I'm
24 distracted with a [REDACTED] talking to [REDACTED]. So I don't
25 know what's going... all I heard was boom, boom,

1 boom, and I ran.

2 INSPECTOR ENGLER: Right. Does somebody want
3 to hurt you?

4 [REDACTED] I don't know.

5 INSPECTOR ENGLER: Well did... did [REDACTED]
6 have [REDACTED] around the corner and saw you talking
7 [REDACTED]?

8 [REDACTED] I don't know.

9 INSPECTOR ENGLER: I don't either. That's why
10 I'm asking.

11 [REDACTED] So, [unintelligible] it all
12 happened so fast.

13 INSPECTOR ENGLER: Okay. Who in your group
14 that you were hanging out with, has a beef with
15 somebody?

16 [REDACTED] I don't know. Uh, I don't know
17 who'd they beef with. They probably got beef with
18 somebody, but I don't know who exactly they have
19 beef with.

20 INSPECTOR ENGLER: Okay. See, I mean, just
21 help me with a few specifics here. That's all I'm
22 asking.

23 [REDACTED] Right.

24 INSPECTOR ENGLER: You've been up all night,
25 we've been up all night. Just help it make sense,

1 and then we'll go from there. Okay, is that fair?

2 Okay. [REDACTED] ... known [REDACTED] a long time, or just
3 tonight?

4 [REDACTED] I just kicked it with [REDACTED] a couple
5 times. I met [REDACTED] I don't really know [REDACTED] all like
6 that. I kicked it with... I met [REDACTED] one time and I
7 seen [REDACTED] out there.

8 INSPECTOR ENGLER: So when you see [REDACTED]

9 [REDACTED] I came with [REDACTED]

10 INSPECTOR ENGLER: Yeah. When you see [REDACTED]
11 where do you see [REDACTED]?

12 [REDACTED] Either on [REDACTED] probably, or
13 probably, like [unintelligible]...

14 INSPECTOR ENGLER: Now, when you say in the
15 Mi... where did you go to high school?

16 [REDACTED]
17 [REDACTED]

18 INSPECTOR ENGLER: And where?

19 [REDACTED]

20 INSPECTOR ENGLER: [REDACTED] Okay. How about
21 [REDACTED]?

22 [REDACTED] I don't know.

23 INSPECTOR ENGLER: Is [REDACTED] younger or older?

24 [REDACTED] older than me.

25 INSPECTOR ENGLER: A lot older?

1 [REDACTED] A couple years.

2 INSPECTOR ENGLER: Okay. What else does [REDACTED]
3 go by? Does [REDACTED] have a nickname? You know? Okay. Do
4 you have a nickname? At all? Like some [REDACTED] go by
5 Sleepy...

6 [REDACTED] You can call me [REDACTED] if you want.

7 [REDACTED]
8 INSPECTOR ENGLER: You go by [REDACTED] or [REDACTED]
9 [REDACTED]?

10 [REDACTED] it doesn't matter.
11 It's the same.

12 INSPECTOR ENGLER: Okay. So this [REDACTED]...
13 [REDACTED] without a nickname, is that right... that you
14 know of? Okay. This [REDACTED], can you remember [REDACTED]
15 name?

16 [REDACTED] I didn't get [REDACTED] name.

17 INSPECTOR ENGLER: The [REDACTED] you didn't get
18 [REDACTED] name. Who, who else were you out with there
19 tonight?

20 [REDACTED] Well, I seen [REDACTED]... I don't
21 know [REDACTED] name, but I seen [REDACTED] right after...

22 INSPECTOR ENGLER: What's [REDACTED] what's [REDACTED]
23 nickname?

24 [REDACTED] No, I don't know [REDACTED] name. I don't
25 know if it's [REDACTED], I don't know [REDACTED] name.

1 INSPECTOR ENGLER: Okay, and who's that?

2 [REDACTED] The one that you just interviewed
3 before me.

4 INSPECTOR ENGLER: Okay.

5 [REDACTED] I don't know [REDACTED] name. All I think
6 is it's kind of confusing... [REDACTED] told me. But I seen
7 [REDACTED] after all the shooting, like...

8 INSPECTOR ENGLER: Okay, and what happened.

9 [REDACTED] And [REDACTED] helped me. I was like... I
10 thought I was shot. I was screaming out, "I'm shot,
11 I'm shot." I'm running, like for my life, not
12 trying to get shot. And I'm running up the hill on
13 that little alley where I got stopped at...

14 INSPECTOR ENGLER: Uh-huh.

15 [REDACTED] And [REDACTED] was just telling me, "We
16 good, we good, we good." And that's when we got
17 stopped.

18 INSPECTOR ENGLER: And how long have you known
19 [REDACTED]?

20 [REDACTED] I just met [REDACTED].

21 INSPECTOR ENGLER: When?

22 [REDACTED] Like... probably like... I met [REDACTED]
23 twice, three times.

24 INSPECTOR ENGLER: How, how, how many months
25 ago did you meet [REDACTED] for the first time?

1 [REDACTED] I can't remember.

2 INSPECTOR ENGLER: More than two?

3 [REDACTED] Probably.

4 INSPECTOR ENGLER: Okay. Who else you [REDACTED]

5 share friends with... mutual friends?

6 [REDACTED] I don't know.

7 INSPECTOR ENGLER: And who else, you know...

8 [REDACTED] I don't know. I don't really know

9 [REDACTED] like that.

10 INSPECTOR ENGLER: Like I'm friends... I'm
11 friends with Inspector Pierucchi, and then I also
12 know [REDACTED] cousin. I mean, how do you know, how do
13 you know that [REDACTED]

14 [REDACTED] I just know [REDACTED]. I met [REDACTED] before...
15 I kicked it with some friends long time ago...

16 INSPECTOR ENGLER: That's what I mean.

17 [REDACTED] Yeah.

18 INSPECTOR ENGLER: What's the connection to
19 those friends a long time ago? What do you, what do
20 you [REDACTED] share in common?

21 [REDACTED] [unintelligible] I was supposed to
22 meet up with this [REDACTED] a long time ago,
23 [phone rings] and then [REDACTED] knew [REDACTED], and that's how
24 I knew... because I was messing with [REDACTED] and [REDACTED] was
25 with [REDACTED].

1 INSPECTOR ENGLER: Okay. So you [REDACTED] shared
2 interest in the [REDACTED]? [REDACTED] was friends of [REDACTED]
3 and you wanted to get with [REDACTED]? Is that right?

4 [REDACTED] No, I'm saying I know... what I'm
5 saying is [REDACTED], so [REDACTED] introduced [REDACTED] to
6 me. And yeah, that's what I'm saying.

7 INSPECTOR ENGLER: Okay. Let me ask you a
8 question. [REDACTED]

9 [REDACTED]
10 INSPECTOR ENGLER: Okay. Help me out here.
11 Just be real direct with me and it'll make it a
12 real fast interview. Okay? All right? Um, so...
13 [phone rings] You met [REDACTED] how long ago? More than 2
14 months or less than 2 months?

15 [REDACTED] I don't feel comfortable.

16 INSPECTOR ENGLER: Well, neither do I. I've
17 been up all night long. I just want to get right
18 through this. So, how did you know that [REDACTED]

19 [REDACTED] I don't feel comfortable. I just
20 want my lawyer. I mean, I already know I'm being...

21 INSPECTOR ENGLER: Oh really?

22 [REDACTED] Y'all putting me... y'all going to
23 arrest me after this. I already know what y'all
24 going to do

25 INSPECTOR ENGLER: Why do you know that?

1 [REDACTED] Because I know y'all.

2 INSPECTOR ENGLER: Okay.

3 [REDACTED] I know y'all. For no reason too,
4 man.

5 INSPECTOR ENGLER: All right. Well, you asked
6 for a lawyer. I can't interview you anymore. So
7 that's the end of the interview. The time is 1:17
8 in the morning. And with what we got, and with you
9 not explaining it...

10 INSPECTOR PIERUCCHI: [It's 1:17 in the
11 afternoon].

12 INSPECTOR ENGLER: In the afternoon. You're
13 under arrest. Stand up.

14 [REDACTED] You're going to lose that case
15 anyway. It doesn't matter.

16 INSPECTOR ENGLER: Okay. Sit down. Sit down
17 for me.

18 **END OF DOCUMENT**



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REPORT OF EXAMINATION

To: San Francisco Police Department Date: September 17, 2010
 850 Bryant Street
 San Francisco, CA 94103 Case ID No.: N/A
 Inspector Perucci
 Lab No.: SV-10-0120

Reference: Communication dated September 17, 2010

Ref. No.: SFPD Case 100-609-942

Title: [REDACTED] Columbus Avenue

Date specimens received: July 13, 2010

Specimens: ^{PC}
⁴ SVE02995⁸ Western Digital 200GB HDD, S/N [REDACTED]
³ SVE02995⁴ MTD 250GB HDD, S/N [REDACTED]

Request

On July 13, 2010, Inspector Perucci, San Francisco Police Department, requested that the SVRCFL respond to [REDACTED] Columbus Ave in San Francisco, California to examine the DVR from the Europa Hotel for footage relating to an officer involved shooting. [REDACTED] the Europa Hotel, gave consent to perform the examination.

Inspector Perucci advised that he was looking for footage that occurred on Columbus Street on 7/3/2010 from 1230 hrs to 0200 hrs.

Summary of Examination:

On July 13, 2010, Sgt. Brian Rodriguez (FET) and I responded to [REDACTED] Columbus Ave in San Francisco, California. At the scene, we met [REDACTED] who

Enclosures: None

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gave us consent to remove the DVR, image it at the SVRCFL, and examine the contents.

The DVR system consisted of a Microsoft Vista based desktop computer connected to IP Cameras. Based on the configuration of this system, Sgt. Rodriguez and I removed the hard drives and transported them to the SVRCFL for imaging. On July 14, 2010, the imaging was completed on both drives. Sgt. Rodriguez and I transported the submitted hard drives back to the Europa Hotel and reinstalled the hard drives. The desktop was powered back up to ensure that it booted properly.

On September 6, 2010, I began an examination of the imaged drives. I was unable to locate any footage of the officer involved shooting, or the events that may had contributed to the incident.

Details of Examination:

On July 13, 2010, Sgt. Brian Rodriguez (FET) and I responded to [REDACTED] Columbus Ave in San Francisco, California. After obtaining a signed consent to search form, we began the examination and imaging process.

Initial Examination of the system revealed the DVR was a Compaq Presario SR5130NX Desktop Computer, S/N [REDACTED], connected to its security cameras over a standard computer network.

Based on this, we determined that the examination could be completed by imaging the internal hard drives. We powered down the system, then removed the two hard drives listed under specimens above. We attempted to image the drives on site, however, one of the drives contained errors and would have required and extended amount of time to image on site. As a result, we decided to take custody of the drives and image them at the SVRCFL.

The submitted drives were transported to the SVRCFL and booked into evidence. Using forensic imaging tools and hardware, forensic image files and archive image files were created of both drives. Using an MD5 hash algorithm, I was able to verify that images made were an exact digital duplicate of the original. After the imaging process was completed, the drives were booked back into evidence.

On July 14, 2010, Sgt. Rodriguez and I returned to [REDACTED] Columbus Ave in San Francisco, CA and reinstalled the hard drives into the desktop computer, then powered on the desktop computer.

On September 6, 2010, I began an examination of those images using the criteria in the service request. The DVR system automatically records when motion is detected.

Examining the DVR footage revealed activity on that date during daytime hours. It is my opinion that the lighting conditions during the hours of darkness were not able to trigger the recording mechanism of the DVR system.

After examining the image files, I used an MD5 hash algorithm to perform a data integrity verification on the image files. This was done to ensure that no changes were made to the image files during or as a result of the examination.

The following processes were performed:

Physical Examination of Evidence
Search Digital Media
Directory/File Listing
Data Integrity Verification

The following Derivative Evidence were created and booked into evidence on July 14, 2010:

SVE029971 - LTO3 containing archive image of sve029953.
SVE029972 - LTO3 containing archive image of sve029954.
SVE030695 - CASE ARCHIVE CD-ROM/File Listing

Disposition of Evidence:

On July 14, 2010, the original hard drives were returned to [REDACTED] on site, and reinstalled into [REDACTED] desktop computer.

SVE029971 and SVE029972 will be retained in SVRCFL evidence control room for a period of five years in order to preserve the evidence in the event additional forensic examinations or legal proceedings require its use. After this time, they will be returned to the requestor's agency for disposition.

This examination is complete.

Examiner: [REDACTED]
(Sgt. Alan Lee #3041)

Silicon Valley Regional Computer Forensic Lab
Computer Analysis Response Team